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Human Rights Council
Twenty-eighth session
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Written statement* submitted by the Jubilee Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03749 (E)
1503749

Please recycle

States' Domestic and Extraterritorial Economic, Social and Cultural Rights Obligations

Recent developments within the Human Rights Council and Universal Periodic Review (UPR) have emphasized the relevance of respecting, protecting and fulfilling economic, social and cultural rights (ESCRs). The Habitat International Coalition (HIC) encourages the Members of United Nations (UN) Human Rights (the Council) to develop the UN human right policy agenda further to align with global discourse to ensure that ESCRs assume the necessary level of priority with other rights, operationalizing the indivisibility and independence of rights in its deliberations. We are encouraged by the High Commissioner's focus in his present report annual report on all of "integrating human rights in development and the economic sphere"; "protection of human rights in situations of conflict, violence and insecurity"; and "combating impunity and strengthening accountability and the rule of law."[1]

The UPR process reflects a particular need to develop the line of inquiry to ensure greater integrity of the bundle of rights under review. Especially in the second UPR round, stakeholder inputs have provided ample information on the ESCR issues, particularly in countries whose populations suffer the effects of austerity measures, popular uprisings, antisocial trade and investment patterns, corporate capture of the state and policies corresponding with the so-called Washington Consensus,as well as conflict, violence and insecurity.[2] However, the corresponding human rights issues are not reflected outcomes.

This consistent omission suggests greater rigor needed in State's implementation of all three dimensions of duty in the UPR process:

1. The duty of the state under UPR review to cooperate in its review;

2. Other states' duty to review implementation of previous reviews, identify and take lessons from good practice, and to make further recommendations to ensure the universal respect, protection and fulfilment of human rights;

3. All states duty to respect, protect and support fulfilment of human rights in their international relations, including to regulate non-state actors accordingly. Under peremptory norms of international law, all Atates also bear an obligation not to recognize, cooperate with or support an illegal situation of gross HR violations, and to take "effective measures" toward remedy.[3]

The Council has been reminded of States' extraterritorial duties and obligations in numerous cases, although the Council's explicit recognition of, and action on corresponding obligations are rare. In its report presented to the Council's 22nd session on 18 March 2013, the International Fact-Finding Mission on Israeli Settlements in the Occupied Palestinian Territory (OPT) echoed "the law on State responsibility for internationally wrongful acts, including third-State responsibility" in the violations comprising the crime of population transfer, including the implantation of settlers and settlements.[4]

Common Article 1 of the Geneva Conventions obliges the High Contracting Parties (HCPs) to ensure respect for the Conventions provisions, but HCPs have yet to implement this obligation. This obligation is not merely reinforcing States' general obligation to respect the norms, but entails a duty on States to take all possible steps to ensure that the rules enshrined are respected by all and in particular, by the parties to conflict.[5] HCPs' failure to fulfil their corresponding duties[6] has eroding faith in the Convention by neglecting the corrective provisions available to them. This inertia effectively facilitates the maintenance of settler colonies, and erodes global confidence in international law, leaving no surprise—or shortage—in resistance movements, including the most virulent kind.

The International Law Commission Draft Articles on State Responsibility, reflecting customary international law, state in Article 41 that, in case of breaches of peremptory norms of international law, all States are under obligation not to recognise the situation resulting from the illegal conduct as lawful, not to render aid or assistance in maintaining it and actively to cooperate to bring it to an end.

These remedial measures constitute "self-executing obligations"; i.e., not requiring further resolution or legislation. Nonetheless, the recent Security Council resolutions, specifying some of the measures required *erga omnes* to correct an illegal situation is welcome, if only selective in nature, case and scope.[7]

The call to execute extraterritorial ESCR obligations and remedy gross human rights violations and international crime is not new. UNSC resolution 465 (1980) advised "all States not to provide Israel with any assistance to be used specifically in connexion [sic] with settlements in the occupied territories."[8] The International Court of Justice recalled the same obligations with reference to Israel's construction of the Wall in the OPT. In its relevant Advisory Opinion, the ICJ stated that "[g]iven the character and the importance of the rights and obligations involved [...], [i]t is also for all States, while respecting the United Nations Charter and international law, to see to it that any impediment, resulting from the construction of the wall, to the exercise by the Palestinian people of its right to self-determination is brought to an end."[9] The Court reiterated that "[a]ll States are under an obligation not to recognise the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction."[10]

Yet, despite the detailed accounts of the pivotal role of Israel's parastatal institutions, including the World Zionist Organization,[11] in the conduct of population transfer, at least 50 States—at least 18 Council Members[12]— host these institutions, extending tax-exempt charity status, while they mobilise financial and human capital within their sovereign territories for the benefit of the illegal settler-colonial enterprise.

In addition, bilateral trade of States and their domestic entities with and settler colonies further bolsters their economy and contributes to their permanence and growth, while, at the same time, increasingly undermining Palestinian ESCR and living conditions. By allowing settlement produce to enter their internal markets, third-party States enable an illegal a situation arising from a breach of peremptory norms of international law and thus violate their nonrecognition duties.

The recent controversy over the Swiss organisation Crans-Montana Forum organising a global event in occupied Western Sahara has raised, once again, the need for Council integrity in addressing gross violations of ESCR and peremptory norms of international law, including the denial of self-determination of the Sahrawi people. On 31 January 2015, the African Union strongly condemned the Crans-Montana plan to hold its forum in Dakhla, occupied Western Sahara, as "a grave violation of the International Law."[13]

This violation of international law by the Swiss entity and the corresponding omission of the territorial State in which the organisation operates—the depositary of the Geneva Conventions—shed new light on the need for the Council to address the bundle of human rights violations, in particular ESCR, arising from the foreign occupation of Western Sahara, in particular the exploitation of the country's natural resources at the expense of Sahrawi people's ESCRs and inalienable right to self-determination.

This particular event in the breach of peremptory norms invokes the 40th anniversary of the ICJ's 1975 Advisory Opinion, whereby the Court ruled out support for Morocco's claim to territorial or legal sovereignty over Western Sahara."[14] In 2002, the UN Under-Secretary General for Legal Affairs advised the Security Council on the illegality of the occupier or complicit third party exploiting natural resources in Western Sahara.[15] Nonetheless, the occupying State maintains a 2,400 km-long dividing wall through the country, and exports Western Sahara's mineral, fossil, agricultural and marine endowment, implanting settlers and collaborating with complicit firms and their home States.

In its recommendation to Third States, the 2013 Fact-Finding Mission on Israeli settler colonies called upon "all Member States to comply with their obligations under international law and to assume their responsibilities in their relations with a State breaching peremptory norms of international law, and specifically not to recognise an unlawful situation resulting from Israel's violations."[16] However, that recommendation appears inoperative. While this submission primarily cites States' omission in two egregious cases, the Council's urgent attention to the body of States' extraterritorial ESCR obligations due, but also would go far to restore faith in the integrity of international law norms.

We encourage the Council's Member States consider the analogous violations of ESCRs in the occupied territories of Palestine and Western Sahara, and third State's complicity in them. Implementing State's extraterritorial ESCR obligations would go far toward "integrating human rights in development and the

economic sphere"; "protection of human rights in situations of conflict, violence and insecurity"; and "combating impunity and strengthening accountability and the rule of law."

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[1] "Annual report of the United Nations High Commissioner for Human Rights," A/HRC/28/3, 19 December 2014, pp. 12, 16 and 10, respectively, at: http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_3_ENG.doc.

[2] See stakeholder submissions on the second UPR round on Egypt, Italy, Spain and Turkey, for example, as compared " Report of the Working Group on the Universal Periodic Review - Egypt," A/HRC/28/16, at: http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_16_ENG.doc; "Report of the Working Group on the Universal Periodic Review – Italy," A/HRC/28/4, at: http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_4_en.doc; "Advance Questions to Spain," at: http://lib.ohchr.org/HRBodies/UPR/Documents/Session21/ES/Advanced_questions_Spain.docx; and "Advance Questions to Turkey," at: http://lib.ohchr.org/HRBodies/UPR/Documents/Session21/TR/Advanced_questions_Turkey.docx.

[3] "Human rights situation in Palestine and other occupied Arab territories Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem," A/HRC/22/63, 7 February 2013, paras. 17, 104, at:
http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-63_en.pdf; Maastricht Principles on Extraterritorial Obligation of States in the area of Economic, Social and Cultural Rights, 2011, at: http://www.etoconsortium.org/en/library/maastricht-principles/; "
"Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory," Advisory Opinion of 9 July 2004 [heretofore: ICJ Advisory Opinion], at: http://www.icj-cij.org/docket/files/131/1671.pdf; International Committee of the Red Cross, *Business and international humanitarian law* (Geneva: 2006), p. 14, at:
http://www.icrc.org/eng/assets/files/other/icrc_002_0882.pdf; General Assembly resolution "The situation in the Middle East," A/37/123, 16 December 1982, para. 13, at: http://unispal.un.org/unispal.nsf/a06f2943c226015c85256c40005d359c/faabb796990cf95a852560d9005240cf?OpenDocument; Security Council Resolution S/RES/465, 2203rd meeting, 1 March 1980, para. 7, at: http://unispal.un.org/unispal.nsf/d744b47860e5c97e85256c40005d01d6/5aa254a1c8f8b1cb852560e50075d7d5?OpenDocument; International Convention on the Suppression and Punishment of the Crime of Apartheid, General Assembly resolution 3068 (XXVIII), 30 November 1973, Articles II and III, at: https://treaties.un.org/doc/Publication/UNTS/Volume%201015/volume-1015-I-14861-English.pdf.

[4] "Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem," A/HRC/22/63, 7 February 2013, para. 17, at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-63_en.pdf.

[5] L. Boisson and L. Condorelli, "Common Article 1 of the Geneva Conventions Revisited: Protesting Collective Interests" International Review of the Red Cross, 837 (2000). According to the authors, while there were views that Article 1 was not drafted with the intention of imposing obligations on States that were not also derived from the other provisions of the Geneva Conventions, a more careful examination of the travaux préparatoires reveals that the

negotiators clearly had in mind the need for the parties to the Conventions to do everything they could to ensure universal compliance with the humanitarian principles underlying the Conventions.

[6] Besides the obligations under Common Article 1 to the Geneva Conventions, the High Contracting Parties have additional obligations under Article 146 of the Fourth Geneva Convention, which is the cornerstone of the system utilised for the repression of serious violations of the Convention (grave breaches). Given the seriousness of these violations, which are affecting the international community as a whole, the High Contracting Parties to the Conventions are under an obligation to enact any legislation necessary to provide effective penal sanctions, to search for and prosecute individuals alleged to have committed, or to have ordered to be committed, these crimes, in accordance with the principle of universal jurisdiction. Grave breaches of the Fourth Geneva Convention are listed in Article 147, which includes in this category also the unlawful deportation or transfer of protected persons.[7] Security Council resolutions S/RES/2170 (15 August 2014); S/RES/2199 (12 February 2015).

[8] Security Council Resolution S/RES/465, 2203rd meeting, 1 March 1980, para. 7.

[9] Legal Consequences of the Construction of the Wall in the Occupied Palestinian Territory (Advisory Opinion) ICJ Rep 2004, para. 159

[10] Ibid.

[11] A/HRC/22/63, (n 1), pp. 6, 28, 21, 32

[12] Argentina, Austria, Brazil, Chile, Costa Rica, Czech Republic, Ecuador, Germany, Guatemala, India, Italy, Peru, Poland, Romania, Spain, Switzerland, United States of America and Venezuela (Bolivarian Republic of), cited in http://www.jnf.org/map.html, www.jnf.org and www.kklamericalatina.org, www.wzo.org, http://www.jnf.org/about-jnf/in-your-area/, http://www.wzo.org.il/Zionist-Federations, http://www.jafi.org/JewishAgency/English/Aliyah/Contact+Addresses/Representatives/Europe.htm, and http://www.jafi.org.il/JewishAgency/English/Contact+Us/International+Offices/.

[13] "Declaration on the Organization of Crans Montana Forum in the Occupied City of Dakhla, Western Sahara," Assembly of the Union, 31 January 2015, at: http://www.spsrasd.info/en/content/au-call's-boycott-next-edition-crans-montana-forum-scheduled-occupied-city-dakhla-declaration; also "AU Condemns Forum in Occupied Western Sahara," *HIC-MENA News* (1 February 2015), at:

[14] "...the Court does not support Morocco's claim to have exercised territorial sovereignty over Western Sahara." International Court of Justice, *Western Sahara Advisory Opinion of 16 October 1975*, para. 105, at: http://www.icj-cij.org/docket/files/61/6197.pdf. The Court also cited "the paucity of evidence of actual display of authority unambiguously relating to Western Sahara renders it difficult to consider the Moroccan claim"; that "Morocco cannot, for the most part, be considered as disposing of the [legal] difficulties in the way of its claim to have exercised effectively internal sovereignty over Western Sahara," para. 103; finally, noting that, "even taking account of the specific structure of the Sherifian State [Morocco], [evidence] does not establish any tie of territorial sovereignty between Western Sahara and that State," paras. 107, 162. "Thus the Court has not found legal ties of such a nature as might affect the application of resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory," para. 162.

[15] Hans Corell, "Letter dated 29 January 2002 from the Under-Secretary-General for Legal Affairs, the Legal Counsel, addressed to the President of the Security Council," S/2002/161, 12 February 2002.

[16] A/HRC/22/63, (n. 1), para. 116.

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Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Institut international pour la paix, la justice et les droits de l'Homme - IIPJDH, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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1503542

Please recycle

Tangible steps should be taken to halt all kind of violence against children during armed conflict. Nigerian school attacks and the responsibility of State Parties

The International Institute for Peace, Justice and Human Rights (IIPJHR) is an international human rights organisation aimed at promoting and protecting human rights and development. One cornerstone topic of its program is children, especially in the situation of armed conflict. In this regard, IIPJHR is monitoring and drawing attention to situations where the rights of children are violated, and advocates for the improvement of such circumstances.

All forms of sexual violence against children are violations of their human rights under International Human Rights law and International Humanitarian Law. However, children, and especially girls under the age of 18 often make up the majority of survivors of sexual violence in conflict and conflict-affected countries,[1] and gender-based inequality is usually exacerbated during situations of extreme violence such as armed conflict.[2]

A number of resolutions related to children in armed conflict have been issued by the UN Security Council (SC). Each one either adds more obligations to State Parties to protect children, or uses stronger language. SC resolution 1882 of 2009, specifies sexual violence against children during armed conflict as a critical priority. State Parties were called upon to prepare and implement action plans to address these violations.[3]

Still, statistics by UNICEF estimate that by the end of 2014, there was 230 million[4] children worldwide living in countries and areas affected by armed conflict. The problem is very prominent in Nigeria, which was the most deadly country for children in the world in 2014.[5]

This occurred despite the fact that the UN Security Council adopted resolution 2143 from March 7 2014, which strongly condemns attacks on schools. Further this resolution urges all parties in armed conflict to respect the civilian character of schools, protect them from being used or attacked in accordance with international humanitarian law, and also calls for further and improved monitoring and reporting of violations.[6] The armed group Boko Haram have abducted hundreds of children, among them, over 200 school girls taken from Chibok, in April 2014.

Communications from Boko Haram, reports, and statements from people who have escaped, indicate a high level of forced conversions, sexual violence, and forced marriages of children. Young girls are sometimes kept as "wives" when other children are released. One 17 year old girl who escaped recounted the forced marriage of a girl as young as four, who would wait until puberty to consummate the marriage.[7]

The attack on the girls' school in Chibok was in clear violation of multiple basic human rights and rights of the child, such as the right to security, the right not to be subjected to cruel or degrading treatment, and the right to education.

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[1] http://www.savethechildren.org.uk/sites/default/files/docs/Unspeakable_Crimes_Against_Children.pdf
[2] http://www.unicef.org/graca/women.htm
[3] https://childrenandarmedconflict.un.org/effects-of-conflict/six-grave-violations/sexual-violence/
[4] http://www.unicef.org/about/execboard/index_79715.html
[5] https://childrenandarmedconflict.un.org/press-release/urgent-action-to-protect-children-in-north-east-nigeria/
[6] http://unscr.com/en/resolutions/doc/2143
[7] http://www.hrw.org/zh-hans/node/130172/section/6

Both parties to the conflict have responsibilities and obligations to protect children during this ongoing armed conflict. International human rights organisations have reported that "Civilian Joint Task Forces" operating in Nigeria have been using children between 15 and 17 to watch checkpoints in Maiduguri.[8] Despite the reality that both parties are violating children's rights, IIPJHR recognises the different levels of their practices.

The importance of access to health care during conflict and post conflict periods is stressed in resolution 2143. For children who have experienced the mental and physical trauma of being associated with armed groups in conflict, the most urgent need is to try to recover. However, there are usually little or no appropriate measures taken to assist with their healing. It has been noted in Nigeria that few of the abducted children who have managed to escape have good access to counselling and other health services.[9]

Despite numerous resolutions regarding children in armed conflict, and with the condemnations from all state members in HRC, as individual states and collectively, children are still victimised during armed conflicts around the world, including in Nigeria. No serious steps were taken to break or minimise this pattern. For these reasons and for the sake of childhood, IIPJHR:

- Urges the Council to decide on concrete and determined steps to halt violence during armed conflict, and take tangible action to make a difference for a better generation of mankind
- Remind the state of Nigeria that its ratification of the Convention on the Rights of the Child and its Optional Protocol on the involvement of Children in armed conflict means that the government has a responsibility to protect children from all kinds of physical and mental violence. This also includes necessary social support and treatment of children who have experienced such circumstances.
- Calls the international community to work jointly and take actual measures to put an end to the grave violations of children's rights happening in Nigeria, and other conflicts in the world, by holding all violators of these rights accountable.
- Recommends all groups and parties currently engaged in the use of children in armed conflict in any form to cease this immediately. Furthermore, IIPJHR encourages respect for school buildings and demands the immediate termination of all attacks on schools.

[8] https://www.amnesty.org.uk/sites/default/files/nigeria__more_than_1500_killed_in_armed_conflict_0.pdf
[9] http://watchlist.org/wordpress/wp-content/uploads/2111-Watchlist-Nigeria_LR.pdf

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Human Rights Council
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Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by the Jubilee Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03750 (E)

1503750

Please recycle

Human Rights and religious freedom in the Republic of the Union of Myanmar

The Jubilee Campaign, together with Christian Solidarity Worldwide (CSW), seeks to draw the Council's attention to the domestic human rights and religious freedom situation in the Republic of the Union of Myanmar. In so doing, we welcome the recent reports of the UN Special Rapporteur on the Situation of Human Rights in Myanmar, applaud her excellent work and that of her predecessor, and condemn recent appalling attacks by U Wirathu and the Government of the Republic of the Union of Myanmar on her integrity and good name.

Despite calls for change, severe violations of human rights persist in the country, particularly in ethnic areas. Several hundred political prisoners remain in prison, and religious intolerance has become a grave concern. A movement of extremist Buddhist nationalists led by monks has conducted a campaign of hatred and violence against Muslims. Since 2012, widespread violence against Muslims throughout the country has erupted periodically, and hate speech is used widely to incite anti-Muslim sentiment.

Parliament is currently considering a package of four bills aimed at the "protection of race and religion". The bills, which focus on religious conversions, inter-religious marriage, monogamy, and population control, were originally drafted by the Committee for the Protection of Religion and Nationality, known as 'Ma Ba Tha'. The bills were advocated by Buddhist monks, but were developed by a 12-member commission appointed by the President and submitted to Parliament last year.

Civil society in the Republic of the Union of Myanmar and the international community have opposed this legislation. The UN Special Rapporteur on Human Rights in Myanmar, Yangjee Lee, highlighted the "significant human rights concerns" relating to the proposed legislation on religious conversions and inter-faith marriage in a recent statement. She warned that the bills will "legalise discrimination, in particular against religious and ethnic minorities and against women". At the end of her recent visit to the country, she described the bill's proposed process for registering religious conversions as "onerous and potentially intimidating. The freedom to practice religion and to convert is a fundamental human right, a very personal one."

Existing laws are now used to prosecute people accused of insulting religion. In December 2014, New Zealand bar manager, Phil Blackwood, was arrested along with two Burmese colleagues and charged with insulting religion through promoting their Rangoon bar with an image of Buddha. In another case, Htin Lin Oo, a Buddhist author and former official of the National League for Democracy (NLD), was arrested and imprisoned for criticising extremist Buddhist monks for preaching hatred. He argued that religious intolerance spread by groups such as Ma Ba Tha contradicts Buddhism. For this he was charged with religious defamation under Article 295(a) and Article 298 of the Penal Code.

Persecution of the Muslim Rohingya people in Rakhine State is especially severe. The Rohingyas, despite living in the Republic of the Union of Myanmar for generations, are rendered stateless and unrecognized as citizens under the 1982 Citizenship Law. Since violence erupted in Rakhine State in 2012, thousands of Rohingyas have fled the country, risking their lives to cross the sea. They live in refugee camps with inadequate aid and no freedom of movement. The UN Under Secretary-General for Humanitarian Affairs, Valerie Amos, described the conditions as "dire" after her 2012 visit. International experts including former UN Special Rapporteur on Human Rights in Myanmar Tomas Ojea Quintana have noted signs of potential genocide.

Christians also face religious freedom violations. In January 2015, the authorities in Hakha, Chin State, ordered the destruction of a 54-foot cross on a hill, and is prosecuting a Chin elder, Tial Cem, for cutting down trees without permission. He is currently on trial and potentially faces up to two years in prison.

The situation in Kachin State is of very serious concern. In the past three and a half years, at least 100,000 civilians have been displaced, 200 villages attacked and 66 churches destroyed. Rape is used as a weapon of war. The Kachin Women's Association Thailand (KWAT) has documented over 70 cases of gang-rape, rape, and attempted sexual violence by army troops in Kachin and northern Shan states since June 2011. The Women's League of Burma published a new report last year, titled "If they had hope, they would speak", which documents 118 cases of sexual violence by the army since 2010. The most recent incident took place in January 2015, when two Kachin Christian women were

brutally raped and murdered in a church compound. The two women, Maran Lu Ra, 20, and Tanghau Hkawn Nan Tsin, 21, were teachers from Myitkyina working with the Kachin Baptist Convention. They were gang-raped and murdered at night on January 19 by Burma Army soldiers in Kawng Hka Shabuk village, Muse District, northern Shan State. According to CSW's sources, "The army troops came into the church ground where the girls were sleeping and raped and then beat them to death. Villagers nearby heard the girls screaming and when they went to check they saw the army boot prints and the raped and bloodied bodies of the dead girls… The church members went to the police in this area, but the police have taken no action."

In addition to addressing human rights violations, the Republic of the Union of Myanmar must seek a political solution to protect the future of ethnic nationalities, and the international community must prioritise this issue. While the government has begun ceasefire talks with some ethnic nationalities and secured preliminary agreements in some cases, this is insufficient to secure a genuine and lasting peace. A process of inclusive, nationwide dialogue involving the government, the democracy movement, and the ethnic nationalities must be established. Ceasefires that entail simply an absence of fighting will not secure real peace. The ethnic nationalities are clearly committed to the Republic of the Union of Myanmar and do not seek secession or independence, but autonomy and equal rights within a federal democracy. The international community must readily offer expertise to all sides and work to secure a genuine peace process involving political dialogue and a political settlement.

Since 1992, the UN General Assembly called on the government in the Republic of the Union of Myanmar to respect the Geneva Conventions. Since 1997, the UN General Assembly has requested inquiries into human rights violations. In its twenty-four resolutions, the General Assembly has detailed at least fifteen possible categories of war crimes and crimes against humanity perpetrated by the government. Recent resolutions have described the government's human rights abuses as "major and repeated violations of international humanitarian law".

Recommendations to the Human Rights Council

It is crucial that the international community sends a clear message to the government of the Republic of the Union of Myanmar that existing reforms are recognised and welcomed, and the President and other reformers should be encouraged to continue on this path, but that continuing violations of human rights are unacceptable, and necessitates a genuine peace process involving an inclusive, nationwide dialogue with the ethnic nationalities. The Jubilee Campaign and CSW therefore urge the Human Rights Council to:

1. Call for constitutional reform prior to the elections in 2015;
2. Urge the Government of the Republic of the Union of Myanmar to ensure free and fair elections in 2015, and to allow international monitors to observe the situation before and during elections;
3. Call for the establishment of an international, independent inquiry into the violence in Rakhine State and war crimes and crimes against humanity in Kachin State;
4. Urge the Government of the Republic of the Union of Myanmar to fully collaborate with the UN Special Rapporteur on the Situation of Human Rights in Myanmar and to invite the UN Special Rapporteur on Freedom of Religion and Belief to visit the country;
5. Urge the Government of the Republic of the Union of Myanmar to reject proposed legislation on religious conversions and inter-religious marriage, release those imprisoned for "insulting" Buddhism, and repeal Article 295(a) and Article 298 of the penal code;
6. Urge the Government of the Republic of the Union of Myanmar to take steps to prevent further religiously-motivated violence, intervene swiftly and effectively to stop violence where it occurs, protect religious minorities, address hate speech and incitement to hatred and violence, and promote freedom of religion or belief for all;
7. Call on the international community to provide urgently needed humanitarian assistance to internally displaced people in Kachin State;
8. Governmental Call on the international community to provide support to human rights defenders and civil society organisations working within the country and along its borders, documenting human rights violations and disseminating information;

9. Call on the international community to support civil society initiatives countering religious intolerance and promoting freedom of religion or belief and inter-faith dialogue in the Republic of the Union of Myanmar;

10. Call on the international community to seek unhindered access to all parts of the country for international Non-Organisations and human rights monitors.

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*Christian Solidarity Worldwide, an NGO without consultative status, also shares the views expressed in this statement

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the AUA Americas Chapter Inc., a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2015]

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Please recycle

Religious violence against the indigenous Assyrians of Iraq

I. Introduction

1. This brief written statement is submitted on behalf of the indigenous Assyrians of Iraq, and to give a voice to the voiceless.

2. Section II summarizes the identity of the indigenous Assyrians of Iraq, and thereafter analyzes and contextualizes the currently ongoing and historical acts of religious violence, then rejects the dissociations of religion from religious violence, and lastly differentiates between catalysts and causes of religious violence. Section III offers final conclusions and recommendations to be implemented by the HRC and appropriate UN mechanisms.

II. Religious violence against the indigenous Assyrians of Iraq

A. Linking the historical and contemporary factors of religious violence

3. Due to the length constraints of this report, only one significant example linking the historical and contemporary factors of religious violence against the indigenous Assyrians of Iraq is discussed below.

4. Assyrians, also referred to as Chaldeans and Syriacs, represent a distinct, ethno-religious and linguistic community in the Middle East with a heritage linked to the pre-Islamic and pre-Arab civilizations of Mesopotamia. They are politically non-dominant, profess to various ancient traditions of Christianity, and were historically the first to settle in many of the territories of Northern Iraq, Northeastern Syria, Southeastern Turkey and Northwestern Iran. Their language, a dialect of Aramaic known commonly as "Sureth," once a lingua franca of Western Asia, has been designated as "definitely endangered" by UNESCO and faces the threat of extinction in the lands where it originated. [1]

5. *Jizya*, an Islamic tax levied against *kuffar* (infidels) within the *dar al Islam* (abode or house of Islam) was first implemented in the 7th century Islamic Caliphate. The *dhimmi* (non-Muslim citizens of the Caliphate), specifically the *ahl al kitaab* (people of the book), identified as Jews and Christians, are reserved a special status within the Islamic Caliphate wherein they face an ultimatum consisting of three choices: 1) pay the *jizya* and submit oneself to a subjugated position in society thereby recognizing the dominance of Islam and authority of the Caliphate, 2) convert to Islam, or 3) death. Soon after the capture of the city of Mosul in June of 2014, the terrorist group known as the Islamic State issued a formal decree instituting the aforementioned ultimatum to the Christians of the Nineveh Plains, which explicitly stated that the Christian residents must pay the *jizya* tax, convert to Islam,

[1] Matthew Thomas, Agenda Item: Roundtable 1 – UN System Action for the Implementation of Rights of Indigenous Peoples, Oral Intervention at the World Conference on Indigenous Peoples, Assyrian Universal Alliance – Americas Chapter, September 22, 2014.

or die.[2] A similar decree had been previously issued by the Islamic State to the Christians residing in Syria.[3]

6. This act of religious violence has profound historical and religious significance within the religion of Islam and particularly with respect to the indigenous Assyrians of Iraq. Clearly, there is a link between this seemingly archaic form of religious violence carried out centuries ago against the indigenous Assyrians of Iraq and the current acts being perpetrated against them today by such terrorist groups as the so-called Islamic State (aka, ISIS or ISIL).

7. As a result, historical, and often generational, acts of religious violence carried out against a particular group such as the indigenous Assyrians of Iraq, may be directly linked to contemporary acts of religious violence, as is the case of *jizya*. This linkage offers perspective in understanding the collective memory of oppression and contextualizes the current acts of religious violence.

B. Religion as a primary root cause of religious violence

8. Religion is the primary root cause of *religious* violence. A distinction must be made here between religion, the system of faith, ideas, and/or beliefs, and religious violence, the act(s) committed in the name of religion. Typically religion itself is not inherently violent.

9. While several competing independent and interdependent factors, domestic and external as well as contemporary and historical, may be attributed as root causes of religious violence, it is a fallacy to completely dissociate the historical context of the religion from the primary cause.

10. Contrary to SP Heiner Bielefeldt's report, religious violence cannot be qualified as such without religion existing as a primary factor, cause, and/or justification for said act(s) of violence.[4]

11. For example, it is as equally illogical and misleading to completely dissociate the religion of Islam from acts of violence carried out in the name of Islam, as it would be to completely dissociate the religion of Christianity from acts of violence carried out in the name of Christianity.

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[2] "Convert, Pay Tax, or Die, Islamic State Warns Christians in Iraq," *Newsweek*, July 18, 2014. Available online at: http://www.newsweek.com/convert-pay-tax-or-die-islamic-state-warns-christians-iraq-259888. For the original Arabic language document and English translation, see Aymenn Jawad al-Tamimi, "Specimen S: Ultimatum for the Christians of Mosul" in Archive of Islamic State Administrative Documents, *Aymenn Jawad al-Tamimi's Blog*, January 27, 2015. Available online at: http://www.aymennjawad.org/2015/01/archive-of-islamic-state-administrative-documents

[3] Richard Spencer, "Militant Islamist group in Syria orders Christians to pay the tax for their protection," *Daily Telegraph*, February 27, 2014. Available online at: http://www.telegraph.co.uk/news/10666204/Militant-Islamist-group-in-Syria-orders-Christians-to-pay-tax-for-their-protection.html

[4] See Section II, Part B, paras. 15 & 18, and Part C, para. 25 in "Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt," 29 December 2014, A/HRC/28/66.

12. Contemporary, and historical, acts of religious violence, such as *jizya*, carried out against the indigenous Assyrians of Iraq, must include the religion itself including the historical context as a primary, although not necessarily the only, root cause, factor, or justification.

C. Catalysts of religious violence and recent political developments

13. Institutional policies and domestic instability are *catalysts* of religious violence.

14. In the context of religious violence, certain socio-economic and political conditions represent correlational factors and catalysts that often amplify, positively or negatively, the level of religious violence.

15. Contrary to the SP Heiner Bielefeldt's report, loss of trust in public institutions and policies of exclusion are *not* root causes of religious violence rather correlational factors and catalysts.[5]

16. The Nineveh Plains, home to the indigenous Assyrians of Iraq, fell to the terrorist group the Islamic State in June of 2014. While Kurdish forces have provided limited support for the indigenous Assyrians, more international support is required to help the Assyrians reclaim their indigenous territories, lands, and resources.

17. When the state, in this case the Government of Iraq is unable to prevent and counter acts of religious violence committed against the indigenous Assyrians, then the responsibility for an intervention falls on the international stakeholders such as the United Nations.

18. However, while the UN's words and decrees are morally upright and meaningful, they do little to physically protect the indigenous Assyrians and reinforce the need for states to protect its citizens.

19. Caught between the UN's verbal condemnations of religious violence against the indigenous Assyrians of Iraq, and the inability and unwillingness by the Government of Iraq and Kurdistan Regional Government to effectively counter and protect the indigenous Assyrians, what chance do the indigenous Assyrians have to survive in their ancestral homeland?

20. As a result of this harsh dilemma, the indigenous Assyrians have taken to arming themselves into haphazardly and loosely organized militias to counter threats or real acts of religious violence carried out by state or non-state actors. Furthermore, reclaiming any indigenous territory within the Nineveh Plains becomes another overwhelming obstacle.

III. Conclusions and recommendations

[5] See Section II, Part C, paras. 26-35 in Ibid.

21. Pursuant to the Early Warning Decision on Iraq that was reached in August 2014 during the Eighty-fifth (85th) session of the Committee on the Elimination of Racial Discrimination that "Urges the Secretary-General of the United Nations to submit to the Security Council the suggestion to set up a UN peace force as a temporary emergency measure, in order to create a safe zone in the plain of Niniveh, enabling the free return of the displaced persons and the protection of the communities traditionally living in the area."[6]

22. Given the inability of the Government of Iraq to protect, counter, and prevent threats and acts of religious violence against the indigenous Assyrians of Iraq, the United Nations must immediately deploy a substantial peace keeping force into the Nineveh Plains in order to protect the indigenous Assyrians suffering atrocities committed by the so-called Islamic State as well as those who have been forcibly displaced.

23. In addition, said UN peacekeeping force must act swiftly to facilitate local efforts to reclaim the lost territories and ancestral homeland of the indigenous Assyrians in the Nineveh Plains as well as mediate any officially sanctioned restitution as a result of negligence, civil, and criminal violations on behalf of state and non-state actors like the so-called Islamic State.

24. Lastly, said UN peacekeeping force must assist in the immediate protection and return of the culturally significant and ancient artifacts connecting the indigenous Assyrians to their homeland in the Nineveh Plains that have since been looted, stolen, and sold on the black market.

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[6] "Prevention of Racial Discrimination, Including Early Warning and Urgent Action Procedures, Decision 1 (85), Iraq, 2313th meeting, August 22, 2014. Available online at: http://www.ohchr.org/Documents/HRBodies/CERD/EarlyWarning/early-warningDecisionIraq.pdf

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Human Rights Council
Twenty-eighth session
Agenda item 9
Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by the International Youth and Student Movement for the United Nations, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

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Please recycle

Afrophobia*

In its resolution 21/33 adopted on 28 September 2012 the Human Rights Council deplored " the special form of discrimination faced by people of African descent known as 'Afrophobia'".

The active use by the Human Rights Council of the term Afrophobia was in response to the recommendations of the Working Group of Experts on People of African Descent at its previous sessions. In the report of the Working Group of Experts on People of African Descent from its twelfth session adopted on 26 April 2013 the Working Group affirmed that "The recognition by the Human Rights Council in its resolution 21/33 of the term "Afrophobia", as had been recommended by the Working Group, requires an active and systematic follow-up in order to assure the full implementation of this important assertion of the special and unique form of discrimination faced by people of African descent and assuring its equal use with analogous terms that are used to address the stigmatization and prejudice against ethnic, religious and other vulnerable groups."

However one group of countries, the European Union, has regularly objected to the introduction of the term "Afrophobia" both in negotiations on resolutions and in statements at the Council. In its statement to the Human Rights Council on 27 September 2011 the EU stated that "establishing a hierarchy of those affected by racial discrimination is not acceptable. Therefore the EU rejects the introduction of potentially harmful terminology as "afrophobia".

In the context of the above it should be noted that the "Afrophobia" term has gained an increased use in European countries and also been included in government ordinances relating to work against discrimination in one EU country, Sweden, without "harmful" consequences. The term is for example actively used by the Swedish National Council for Crime Prevention and the Swedish Minister for Integration of the previous government commissioned the Multicultural Centre to conduct a systematic review of the current situation on afrophobia experienced by Swedes of African descent and which report was presented on February 3, 2014. The report indicated that Afrophobia, discrimination against persons of African descent, is widespread and a problem in Sweden and will hopefully help the government to better address the situation. When the newly elected Swedish Prime Minister presented his inaugural address to the parliament on October 3 2014 he included the fight against Afrophobia in his government programme. This demonstrates the importance of this form of recognition of discrimination against people of African descent.

Anti-black racism targeted against people of African descent was the first form of discrimination to be given a name when the term "negrophobia" was introduced in the United States in the 1830:ties and used in the campaigns against slavery and for racial equality. "Negrophobia" for example predated the appearance of "anti-Semitism" term by many decades. Afrophobia is only a modernized form of the older outdated term.

In the United Nations the "negrophobia" term was first included in the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to "examine according to his mandate incidents of contemporary forms of racism, racial discrimination, any form of discrimination against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-Semitism, and related intolerance" as adopted by the Commission on Human Rights at its fiftieth session in 1994. The "negrophobia" term disappeared in connection with the World Conference Against Racism and its early follow up for the only reason that any term including "negro" had become totally outdated and unacceptable, in particular in the English language. While the replacement of "negrophobia" with afrophobia was discussed in that connection, it did not take place and therefore deprived people of African descent the recognition it had previously had in listings of existing forms of discrimination. It is therefore a timely measure that the Human Rights Council and the Working Group of Experts on People of African Descent has taken to reintroduce this recognition of the special and unique form of discrimination that people of African descent face.

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*The World Against Racism Network (WARN), NGO without consultative status, also shares the views expressed in this statement.

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Human Rights Council
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Agenda item 6
Universal Periodic Review

Written statement* submitted by the Advocates for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2015]

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Please recycle

Human rights record[1] in Islamic Republic of Iran

Introduction

The Advocates for Human Rights and Norway-based Iran Human Rights (IHR) are members of the Steering Committee of the World Coalition Against the Death Penalty (WCADP), a coalition of more than 140 organizations from more than 40 countries from all the continents. WCADP works toward abolition of the death penalty worldwide.

The Islamic Republic of Iran underwent the Universal Periodic Review (UPR) on October 30, 2014. The Advocates for Human Rights, IHR, WCADP, and two other organizations submitted a joint stakeholder report demonstrating that Iran's death penalty practices violate the country's human rights violations and that Iran has failed to implement accepted UPR recommendations to "consider the abolition of juvenile execution" and to "respect at least the minimum standards and the provisions of ICCPR and CRC concerning the death penalty." During the review, 39 countries made specific recommendations on the death penalty.

The death penalty in Iran

Iran's use of the death penalty appears to be increasing. IHR reports that Iran executed at least 752 people in 2014. Official Iranian media reported 291 executions, and the remaining 461 have been confirmed by at least two independent unofficial sources, such as human rights groups, direct witnesses, lawyers, and family members.[2] The actual number of executions is likely much higher.

About half of those executed were convicted of drug-related charges. IHR has documented at least 2,052 executions for drug-related charges between 2010 and 2014. Iranian law denies the right to appeal to people convicted of drug-related offenses.[3] There are many reports of unfair trials, lack of access to lawyers, and confessions under torture.[4] In recent months, several Iranian officials have suggested changing the law as it relates to drug crimes to reduce the number of executions.[5] Yet the number of executions for drug offenses in December 2014 was among the highest for the year.

Iran executes juvenile offenders

Iran conducts the highest number of executions of individuals sentenced to death for crimes committed as children. Despite changes in the Iranian Penal Law and promises of reform, the number of executions of juvenile offenders has increased. Iran executed at least 14 juvenile offenders in 2014[6]—the highest reported number since 1990.[7] IHR reports that since 2008, Iran has executed at least 42 juvenile offenders. Local Iranian media confirmed executions of two juvenile offenders in 2014.[8]

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[1] Iran Human Rights, a Norway-based NGO without consultative status, shares the views expressed in this statement.

[2] Iran Human Rights [hereinafter IHR], Annual report on the death penalty in Iran- 2014 (Forthcoming).

[3] IHR: Annual report on the death penalty in Iran- 2012, 6-7, http://iranhr.net/2013/04/annual-report-on-the-death-penalty-in-iran-2012/.

[4] IHR, Case 1: Executed for drug trafficking- Annual report on the death penalty in Iran- 2011, http://iranhr.net/2012/03/annual-report-on-the-death-penalty-in-iran-at-least-676-executions-in-2011/.

[5] Al Monitor, *Iran considers ending death penalty for drug related charges*, December 4, 2014, http://www.al-monitor.com/pulse/originals/2014/12/iran-end-death-penalty-drug-cases.html#.

[6] Amnesty International, *Alleged juvenile offender among 10 hunger strikers threatened with immediate execution*, Dec. 16, 2014, http://www.amnesty.org/en/news/iran-alleged-juvenile-offender-among-10-hunger-strikers-threatened-immediate-execution-2014-12-.

[7] Amnesty International, Executions of Juveniles Since 1990, http://www.amnesty.org/en/death-penalty/executions-of-child-offenders-since-1990.

[8] Bloghnews, *Grandfather executed his own grandson*, Feb. 26, 2014, http://www.bloghnews.com/vdcftmdm.w6decagiiw.html; IHR, *Execution of a minor in Iran*, Mar. 7, 2014, http://iranhr.net/2014/03/execution-of-a-minor-offender-in-iran/; Fedaghnews, *Gholami was executed today*, Mar. 2, 2014, http://fedagh.ir/archives/7560.

Article 88 of the new Iranian Penal Code provides that children who commit "discretionary crimes," such as drug possession or trafficking, are not eligible for capital punishment.[9] Yet this reform appears not to be honored in practice. One of the juveniles executed in 2014 had been convicted of drug trafficking.[10]

Iran's execution methods violate human rights

Almost all executions in Iran are carried out by hanging by suffocation. This method does not result in a rapid death, and in some cases the prisoner suffers for many minutes before dying. Moreover, in 2014 there were several cases in which a person was pardoned several seconds after being hanged.[11]

At least 53 people were hanged in public in 2014 in Iran. Public hangings are often announced locally and people are encouraged to attend as spectators; children often watch.[12] There are several reports of children who have died while imitating executions during play. In September 2013, an eight-year-old boy died during a playtime execution "game."[13]

Capital punishment is not limited to violent offenses

Iranian Penal Law allows for capital punishment for several non-violent offences. Since 2010, at least 60 people have been executed in Iran because of their political or ideological affiliations. Authorities charge them with crimes such as *Moharebeh* (waging war against the God), *Ifsad fel Arz* (Corruption on the earth), or rebellion. Many were relatives of armed opposition combatants, non-violent political dissidents, and members of banned opposition groups.[14] There are reports of unfair trials, torture, and forced confessions. In many cases the executions are conducted secretly, without notification of the accused's lawyer or family.

In 2014, two Arab teachers were convicted of *Moharebeh* and executed.[15] In 2010, a Kurdish prisoner was sentenced to death for *Moharebeh* and *Ifsad fel Arz* because of alleged cooperation with a banned armed group. Iranian authorities never investigated his allegation that he was tortured during interrogation.[16] Several prisoners have been executed for their affiliation or cooperation with a banned opposition group.[17] Sunni Muslims are also targeted.[18]

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[9] Iranian Penal Code (2013), Art. 88

[10] IHR, *Afghan juvenile executed for drug-related charges*, May 6, 2014, http://iranhr.net/2014/05/afghan-juvenile-executed-in-iran-for-drug-related-charges/; Radio Azadi, *15 year old Jannat Mir hanged in Iran*, http://da.azadiradio.org/content/transcript/25373245.html.

[11] Parsine, *Forgiveness of the execution after 14 seconds*, http://www.parsine.com/fa/print/213169.

[12] IHR, *Two prisoners hanged publicly in Shiraz*, Feb. 13, 2014, http://iranhr.net/2014/02/two-prisoners-hanged-in-public-in-shiraz-southern-iran/; IHR, *Children watching public executions*, Oct. 12, 2011, http://iranhr.net/2011/10/children-watching-public-executions-in-ihr-urge-un-ban/; IHR, *Public execution of two prisoners in front of children*, Jan. 18, 2015, http://iranhr.net/2015/01/public-execution-of-two-prisoners-in-front-of-children/.

[13] Roozonline, *Child dies simulating a public execution*, http://www.roozonline.com/persian/news/newsitem/archive/2013/september/04/article/-de12bcf75b.html.

[14] Mahmood Amiry-Moghaddam & Tabassom Fanaian, *The Death Penalty in Iran: Fighting Crime or an Instrument to Spread Fear?* Iran Human Rights Review, Jan. 2014; IHR, *Annual Report on the Death Penalty in Iran-2012*, http://iranhr.net/spip.php?article2740; Death Penalty Worldwide (citing Intl. Campaign for Human Rights in Iran, "Iran Should Halt as Rate of Hangings Accelerates," http://www.iranhumanrights.org/2013/10/executions/; Intl. Fed. For Human Rights, *Death Penalty in Iran: A State Terror Policy- Special Update for 11th World Day Against the Death Penalty*, Oct. 9, 2013; Sonya Angelica Diehn, *Arab Activists Face Execution on Iran's Death Row*, Deutsche Welle, Mar. 5, 2013, http://www.dw.de/arab-activists-face-execution-on-irans-death-row/a-16728569.

[14] IHR, *Two Ahwazi Activists, Hadi Rashedi and Hashem Shabani, Have Been Executed*, Jan. 29, 2014, http://iranhr.net/2014/01/two-ahwazi-activists-hadi-rashedi-and-hashem-shabani-have-been-executed/.

[15] *Id.*

[16] Amnesty International, *Two Kurdish men at imminent risk of execution*, Oct. 28, 2013, http://www.amnesty.org.uk/press-releases/iran-two-more-kurdish-men-imminent-risk-execution-after-20-executions-weekend.

[17] IHR, *Gholamreza Khosravi executed this morning*, June 1, 2014, http://iranhr.net/2014/06/iranian-political-prisoner-gholamreza-khosravi-was-executed-this-morning/.

Insulting the prophet is a capital offense under the Iranian Penal Code. Article 262 stipulates the death sentence for cursing the Prophet of Islam or any of the other grand prophets. Recently, the Iranian Supreme Court upheld the death sentence of Ruhollah Tavana for insulting the Prophet. The new Iranian Penal Code does not expressly mention apostasy, sorcery, witchcraft, or similar offenses, but Article 26 of the Press Code specifically mentions apostasy. Under *sharia* law, the punishment for apostasy is death. One man was hanged in 2011 after being convicted of apostasy for claiming to have contact with God and the 12th Shiite Imam.[19] A man was executed in 2014 after being convicted of *Ifsad fel Arz*, insulting the Prophet Yonah, and heresy.[20] In 2014, the Iranian Supreme Court upheld the death sentence for a blogger convicted of "insulting the Prophet" on Facebook.[21]

Iran also subjects persons engaging in consensual adult same-sex conduct to the death penalty. Three men in 2011 and two men in 2014 were executed after being convicted of lavat (sodomy).[22]

Conclusion

Despite the attention brought to the death penalty in Iran during the UPR, death penalty practices in the country have deteriorated in many respects. There is a need to continuously monitor the situation of human rights in Iran by extending the mandate of the Special Rapporteur on the situation of human rights in Iran and by following up on all relevant UPR recommendations.

Recommendations

We respectfully request the Human Rights Council to extend the mandate of the Special Rapporteur on the situation of human rights in Iran, and to closely monitor the recommendations Iran accepts under the second cycle of the UPR to ensure that it adheres to its obligations under international law concerning the use of the death penalty.

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[18] IHR, *Iran Human Rights condemns execution of six Salafi Kurd prisoners*, Jan. 2, 2013, http://iranhr.net/2013/01/ihr-strongly-condemns-executions-of-salafi-kurd-prisoners-in-iran/; IHR, *Joint statement: Iran halt execution of 33 Sunnis*, June 14, 2014, http://iranhr.net/2014/06/iran-halt-execution-of-33-sunnis/.

[19] IHR, *One man was hanged for apostasy in Iran*, January 31, 2011, http://iranhr.net/2011/01/one-man-was-executed-in-iran-for-apostasy/.

[20] IHR, *Mohsen Amiraslani executed this morning*, Sept. 24, 2014, http://iranhr.net/2014/09/mohsen-amir-aslani-executed-this-morning/.

[21] IHR, *Iranian Supreme Court upheld a death sentence for insulting the Prophet on Facebook*, Nov. 24, 2014, http://iranhr.net/2014/11/iranian-supreme-court-upheld-a-death-sentence-for-insulting-the-prophet-on-facebook/.

[22] IHR, *Three men executed convicted of sodomy*, Sept. 5, 2011, http://iranhr.net/2011/09/three-men-were-executed-convicted-of-sodomy/; IHR, *Two men hanged publicly for sodomy*, Aug. 6, 2014, http://iranhr.net/2014/08/five-executions-in-public-and-one-in-the-prison-two-men-executed-for-sodomy/.

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Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the ADALAH - Legal Center for Arab Minority Rights in Israel, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Ending Israeli Impunity for Police Violence against Palestinian Citizens of Israel*

Adalah – The Legal Center for Arab Minority Rights in Israel and Mezan for Human Rights welcome the opportunity to contribute to the Human Rights Council (HRC), particularly Agenda Item 3 and the Interactive Dialogue with the SR on Minority Issues. This submission demonstrates Israel's persistent failures to investigate incidents of police violence and killing of Palestinian citizens of Israel, and contextualizes the impunity of Israeli security forces within the state's refusal to explicitly enshrine the right to equality of all citizens.

On 8 November 2014, Israeli police killed twenty-two year old Kir El Din Hamdan Amara, a Palestinian citizen of Israel, during a law enforcement operation in Kufr Kana, Israel. Kir El Din was shot at least two times though he did not pose any real danger or threat to the police.[1] According to media reports, the Israeli Police Investigation Department of the Israeli Ministry of Justice (Mashash), is conducting an internal-disciplinary investigation into the killing of Kir El Din, rather than a criminal investigation.[2] The policemen involved in his killing have not been suspended, and continue their work.

Two months later, Israeli police killed two unarmed Palestinian citizens of Israel in Rahat, the largest Palestinian Bedouin city in the Negev in southern Israel. Twenty-two year old Sami al-Ja'ar was killed on 14 January, and four days later, when police clashed with protestors during al-Ja'ar's funeral procession, 45-year old Sami Ziadna died from excessive tear gas inhalation.[3] Civil society is calling for criminal investigations into the killings.[4]

These tragic deaths should be considered the result not only of the actions of individual police officers, but of a legal, social and political system in Israel that entrenches inequality on the basis of ethnic or national belonging. Palestinian citizens of Israel, who make up 20% of the population, are excluded from full consideration and protection of their human rights, including the right to life. Israeli security forces are consistently shielded from accountability for the acts of violence, creating a culture of impunity that further threatens the lives of Palestinian citizens of Israel.

1. Ongoing impunity for October 2000 killing of 13 Palestinian citizens of Israel

   2015 marks fifteen years since the October 2000 events when Israeli police and security forces killed 13 Palestinian citizens of Israel during demonstrations against the Israeli military's violent repression in the Occupied Palestinian Territory. October 2000, the killings and the injury of hundreds more, have formed a foundational cornerstone of the collective memory and consciousness of Palestinian citizens of Israel.

   The Israeli government-appointed Or Commission of Inquiry into the October 2000 events concluded, "in the events of October, these [potentially lethal] means were used in many incidents without any objective justification."[5] These means included the firing of live ammunition and rubber-coated steel bullets. The Or

[1] See Adalah, Press Release "Adalah Statement on the Killing of Kheir Hamdan by Israeli Police," 9 November 2014: http://www.adalah.org/en/content/view/8403

[2] See "Adalah, Mossawa and Mezan to Attorney General: Policemen who killed Kheir Hamdan continue to work, while Mahash fails to investigate crime." Press Release. 18 November 2014: http://www.adalah.org/en/content/view/8404

[3] See Ha'aretz, "Arabs of Israel, suspects until proven otherwise?" 21 January 2015: http://www.haaretz.com/opinion/1.638182

[4] See Negev Coexistence Forum for Civil Equality (Dukium), Press Release, "NCF to the Attorney General: Establish an Independent commission of inquiry for the killing of two Bedouin Citizen by the police," 22 January 2015: http://www.dukium.org/ncf-to-the-attorney-general-establish-an-independent-commission-of-inquiry-for-the-killing-of-two-bedouin-citizens-by-the-police/

[5] See the English "Official Summary of the Or Commission Report," p. 46, translated independently by Haaretz, available at: http://www.sikkuy.org.il/english/2004/OfficialSummary.pdf.

Commission report (2003) specifically linked the unjustified orders to open fire with the killings inflicted by the Israeli security forces, and ordered Mahash to thoroughly investigate the circumstances of the killings in order to determine criminal responsibility.[6] Mahash derives its investigative authority from Amendment No. 11 of the Police Ordinance (New Version) of 1971, which stipulates that every suspicion of misconduct committed by a police officer that is punishable by more than one year of imprisonment under the law, must be investigated.

In September 2005, nearly five years after the October 2000 events, Mahash published a report finding that there were no grounds to submit indictments for any of the 13 killings.[7] In 2008, former Israeli Attorney General Menachem Mazuz closed all case files into the October 2000 killings with no indictments submitted against any police officer or commander or any political leader responsible for the deaths.[8] According to Mazuz, "it would be improper to interfere with the decisions made by [Mahash]," since "the investigative material did not provide a sufficient evidentiary foundation that would enable the filing of indictments against any of the suspects".[9] It should be noted, that the AG's decision deviates from established legal custom regarding the evidentiary threshold required for the purpose of filing an indictment. Israel's refusal to properly investigate police violence has been criticized by the UN HRC as well as the UN CERD.[10]

2. New Data Demonstrates Failures of Mahash to Investigate Israeli Police Violence

In March 2014, Adalah approached the Ministry of Justice requesting information regarding complaints submitted to Mahash against police officers between the years 2011 and 2013.[11]

- Between 2011 and 2013, of the 11,282 complaints filed with Mahash, 93% of these complaints were closed;

- More than 72% of the complaints were closed without an investigation, under one of three reasons afforded by law: 1) lack of public interest; 2) the suspected person deemed not guilty; 3) and lack of evidence. However, Mahash also often closed complaints for reasons that are not accorded by the law, such as: 1) the identity of the suspect was unknown; 2) no law had been violated; 3) and Mahash did not have the authority to open an investigation into certain cases.

- 3.3% of the cases filed led to disciplinary actions against police officers; only 2.7% of the cases led to criminal prosecution.[12]

3. Lack of Protection for the Right to Equality

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[6] Ibid. especially pp 36-40

[7] See Adalah, Summary of the Findings and Conclusions of Adalah's 'The Accused' Report, prepared October 2006: http://www.adalah.org/uploads/oldfiles/features/october2000/accused-s-en.pdf

[8] Professor Philip Alston, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, criticized the Attorney General's decision in the October 2000 killings cases in his report of May 2008 to the UN Human Rights Council. Professor Alston concluded that the Attorney General's decision not to issue indictments "would appear to fall short of international standards." http://www2.ohchr.org/english/bodies/hrcouncil/docs/8session/A-HRC-8-3.doc

[9] Israel, "Fourteenth to sixteenth periodic reports of States parties due in 2010," 17 January 2011, pp.48-49 (CERD/C/ISR/14-16)

[10] HRC Concluding Observations of 2010, para. 12 (CCPR/C/ISR/CO/3), and UN CERD Concluding Observations of 2007, para. 30 (CERD/C/ISR/CO/13).

[11] In general, the majority of complaints submitted to Mahash are those concerning the use of excessive force by police officers, which is defined as assault under Section 378 of the Penal Law of 1977 (hereinafter the "Penal Code"), and is punishable by up to two-year imprisonment.

[12] See Adalah Report, "Mahash: Green Light for Police Brutality," September 2014, Available online at http://www.adalah.org/uploads/oldfiles/Public/files/English/Newsletter/Sep-2014/Adalah-Mahash-Data-Report-Sep-2014.pdf

Despite the repeated call of numerous UN bodies on Israel to guarantee the right to non-discrimination for all citizens, the state refuses to enshrine the principle of equality in its Basic Laws.[13] The state's failure to explicitly guarantee the right to equality exposes the Palestinian minority in Israel to direct and indirect discrimination. The legal framework of inequality has allowed Israel to enact over 50 discriminatory laws against Palestinian citizens of Israel,[14] and creates a dangerous environment that ultimately shapes the police force's use of violence against the Arab minority.

Accordingly, the organizations call on the HRC to:

1. Condemn Israeli police violence, and call on Israel to open criminal investigations into the recent killings of Palestinian citizens of Israel;
2. Call on Israel to re-open investigations into the case of October 2000 and to establish an independent committee with the power to issue indictments;[15]
3. Demand that Israel give access to all UN Special Procedures, particularly those mandated to conduct independent fact-finding missions into both specific incidents and the systemic nature of police violence against minorities; and
4. Reiterate the international call on Israel to explicitly incorporate the principle of equality and non-discrimination into its laws

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*Mezan for Human Rights, an NGO without consultative status, also shares the views expressed in this statement.

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[13] UN Human Rights Committee (HRC) Concluding Observations of 2014 para 7. CCPR/C/ISR/CO/4; see also, HRC Concluding Observations of 2010, para. 6, CCPR/C/ISR/CO/3; The Committee on the Elimination of Racial Discrimination (CERD) Concluding Observations of 2012, para. 13 (CERD/C/ISR/CO/14-16); Concluding Observations of 2007, para. 16, 17 (CERD/C/ISR/CO/13); The Committee on the Elimination of Discrimination Against Women (CEDAW) Concluding Observations of 2011, para. 10, 11 (CEDAW/C/ISR/CO/5); The Committee on Economic, Social and Cultural Rights (CESCR) Concluding Observations of 2003, para. 16, 32 (E/C.12/1/Add.90).

[14] Adalah, Discriminatory Laws Database: http://www.adalah.org/en/law/index

[15] Adalah, "The Accused – Part II" (Executive Summary), October 2011: http://www.adalah.org/features/october2000/The_Accused_Report_II.doc. See also Adalah, "Adalah's New Report Exposes Serious Conflicts of Interests in Israel's State Investigatory Bodies regarding the October 2000 Killings of 13 Arab Citizens," 25 October 2011: http://www.adalah.org/eng/pressreleases/9_10_11.html; Adalah, "The Accused – Part I" (Executive Summary), October 2006 : http://www.adalah.org/features/october2000/accused-s-en.pdf

United Nations A/HRC/28/NGO/133

General Assembly

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Human Rights Council
Twenty-eighth session
Agenda item 9
Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by the International Youth and Student Movement for the United Nations, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03781 (E)

1503781

Please recycle

Launching the international decade for people of african descent

The International Decade for People of African Descent was officially launched in New York on Human Rights Day, 10 December, 2014, at a high level meeting convened by the President of the United Nations General Assembly. Below we reproduce the statement of the Civil Society speaker at the launching event, Dr. Barryl Biekman. She addressed the launch on behalf of her own Dutch organizations and on behalf of the Global Coalition for the International Decade for People of African Descent. The Global Coalition for the International Decade for People of African Descent was established to provide global peoples activism and support for the implementation of the International Decade for People of African Descent as proclaimed by the United Nations for the period 2015-2024 based on the principles of Recognition, Justice and Development.

Statement by Dr. Barryl Biekman, Civil Society Speaker

I bring you greetings from the members of Tiye International, The African European Women's Movement "Sophiedela", the Platform of the Dutch Slavery Past, the Global Coalition for the International Decade for People of African descent and the world wide Civil Society grassroots African families on this historical moment of the launching of the International Decade for People of African descent.

We support the International Decade for People of African descent and it's Mandate to follow the recommendations pertaining to the DDPA from the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance (WCAR), as well as the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

It must be reminded here that the decision to have the International Decade did not come as a gift from heaven. It came only because of a long struggle by Pan Africanists supported by those civil society organizations who were committed to the implementation of the Durban Declaration and Programme of Action (DDPA) and finally because of the hard working involvement of the Working Group of Experts on People of African descent, a special thanks goes to dr. Mireille Fanon and Professor dr. Verene Shepherd, and not to forget the support of the African Group and the great majority of member states of the United Nations. A special thanks therefore goes to the African countries for their role in defending the Durban Declaration and Programme of Action and to the African Union to declare African Diaspora worldwide family as their 6th region.

The launching of the Decade today is a great victory for the cause of justice with the strong reaffirmation of and call for the full and effective implementation of the DDPA. We hope that the implementation of the Decade should put a final end to the opposition against, undermining of and false promotion regarding the Durban follow-up process which we have regularly witnessed since the successful World Conference Against Racism in 2001.

At the center of the demands during the World Conference Against Racism, by African people and in diaspora under the leadership of the 12th December Reparation Movement and many other Pan African Reparation Coalitions, was the declaration of the trans-Atlantic slave trade, slavery, colonialism and apartheid as crimes against humanity. In fact it was the longest and most depraved crime against humanity ever.. which lasted for more than three centuries as had been declared by the United Nations including the republic Suriname by its Permanent Delegation, ambassador Udenhout in 2001. The trans-Atlantic slave trade, slavery, colonialism and apartheid destroyed the development of Africa and enriched Europe and the European colonists in the Americas. It established the system of racism & racial discrimination, to be specific Afrophobia, that effects and has its impact what the African people and in diaspora experience until today.

Really, we have reasons to be glad with the establishment of the Decade. But we have reasons to be disappointed too. Because despite of the adoption of the Programme of Activities by the General Assembly last month, powerful State actors, including those who boycotted the 2009 Durban Review Conference and the 2011 commemoration of the 10th anniversary of the adoption of the DDPA, continue their efforts to render the DDPA impotent.

We deplore the 9 votes cast against and 42 abstentions cast, but salute the 121 votes in favor of the resolution on actions

against racism and comprehensive implementation of the DDPA, which the third committee of the General Assembly approved on November 26nd. At the same time we are bewildered that abstaining countries succeeded to delete a paragraph from the G77 draft resolution, which had the support of the majority of countries and which stated: "Commends the constructive role played by non-governmental organizations in participating in the Durban follow-up mechanisms and the Human Rights Council, which has greatly contributed to the development of the Programme of Activities and the preparation for the International Decade."
Mr. President Truth has the inherent power to produce the promised effects.

The full and irrevocable recognition by all countries that the trans-Atlantic slave trade, slavery, colonialism and apartheid was a crime against humanity is necessary for the credibility of the Decade. Without that we have reason to doubt the sincerity of states to restore the rights of people of African descent during the Decade. It is why I on behalf of the African descent worldwide families challenge all national state parliaments and governments to officially recognize and declare the trans-Atlantic slave trade and slavery as crimes against humanity as some countries have already done. We call on all the countries who organized, participated in and profited from the trans-Atlantic slave trade and the hard slave labour by the kidnapped African ancestors to present their sincere apologies as the first step and I challenge all governments and parliaments concerned, to act on this urgent matter.

We strongly welcome the efforts by Caribbean governments & states to place the issue of Reparations on the International Agenda. For the African descendants families the adopted theme of the Decade, "Recognition, Justice, Development", is for us synonymous with the Repairing of the damage, which must become the overall concept of the Decade. Reparations is not limited to material repair, but something more fundamental relating to restoring every aspect of the rights of people of African descent.

We therefore invite all Member States, as proposed by the Global Coalition for the International Decade for People of African Descent, to recognize and honour the Decade as the "Reparations Decade".

We believe that the right of People of African descent to learn about their rights as enshrined in the DDPA and other Human Rights instruments must be assured during the Decade. The Decade must become a framework to address the concentration of misery and disadvantages which people of African descent face everywhere they live: poverty, racial discrimination and lack of access to human rights & their institutions, high rates of unemployment and imprisonment, vulnerability to violence and lack of access to justice, lack of access to good education, healthcare, housing, multiple forms of discrimination, and political and economic marginalization and stigmatization.

As educators and scholars across the racial divide agree that (a) the primary purpose of education is to uplift and enhance the lives of all individuals (b) it must be the right type of education that engenders positive identity, self-esteem, self-confidence including love, respect and appreciation for one's history and culture. We therefore call for adapting both formal and informal education for students of African descent and others so that that it no longer marginalizes and relegates Africa and Africans to periphery of anything important, but for most that our next African generations can say: "I'm not afraid, because of the color of my skin, to be an African….., I'm proud to be an African…….".

We have seen the situation faced by people of African descent around the world grow more and more precarious.. and we seek urgent and concrete results from the International Decade. African Diaspora Civil Society grassroots organizations cannot afford to leave any members of the African Diaspora and African Civil Society around the world behind. Every forum, every workshop, every review and assessment, every planning session and every on-the-ground implementation project must closely involve representatives from Civil Society and the grassroots communities. And we cannot stress enough the importance of always including women, girls and young male adults, the future generation, on an equal basis. To leave them behind would be as to leave our hearts and souls, our very selves, behind as well.

When an African American man is strangled to death by the police on the streets of New York we the people of African descent feel the same that we cannot breathe. We add our voices in solidarity with all those demonstrating to demand justice for the victims of racially based police brutality. This situation makes it clear that institutionalized racism is still alive and that the campaigns against all forms of multiple racism & racial profiling as well the symbolic & psychological violence situation in different countries must be intensified. Whether the ' Black Pete figure ' in the yearly Dutch Santa Claus culture historical tradition is just a problem in the Netherlands because of the revival of stereotype of

African (black) people or interlinked to similar historical cultural tradition, stereotypical language like some people continue to call us 'nigger' & racist situations in other parts of Europe and the rest of the world.

On behalf of the world wide African diaspora families I invite all of you to join hands with us for the implementation of the Programme of Activities in the spirit of "Recognition, Justice and Development." Because this Decade requires the committed support and involvement of all: international, regional, national, sectors of society, stakeholders and people of good will in the world.

I invite you all to make this "Reparations Decade" a great success.

United Nations A/HRC/28/NGO/134

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Human Rights Council
Twenty-eighth session
Agenda item 4
Human Rights situations that require the Council's attention

Written statement* submitted by the International Union of Socialist Youth, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03785 (E)

1503785

Please recycle

On the solution of the conflict in Western Sahara

Dear Members of the Human Rights Council,
Dear Delegates,
Dear Audience

Freedom, democracy and Justice are our guiding starts. As Socialist, Social Democrats and Labour Youth Movements from all around the world, we believe that these rights are non-negotiable. They are universal and should be treated as such in practice whenever and wherever oppression, injustice and lack of democracy exists.

We see in different parts of the world what injustice and oppression are doing to the people in all sides. A circle of hate, conflict and war repeats itself and several generations of youngsters are losing the hope in the future. The humanity does not effort to lose any generation. Conflicts and wars are threat to all people hit by it, as well as the whole humanity.

We need to find solutions to all conflicts. Wars and conflicts are human made constructions and can therefor be solved by humans. Nothing is impossible. But it requires sincere and hard work form all involved parts.

Today we want to stress the importance of finding a solution to the conflict between Western Sahara and Morocco. It is a conflict with a long history, but it needs an urgent response by the international community, as well as all sides of the conflict.

The International Union of Socialist Youth urges to a peaceful solution of the conflict in respect of International Law and Human Rights in the region.

As socialist youth, we believe in the value of democracy, dialogue, cooperation and justice to guarantee freedom, equality and fraternity. We appeal to the international solidarity of the international community and all member states in order to attain a solution that puts an end to a long devastating situation, respecting human rights and providing for the grounds to respect them in the whole region.

Following UN Security Council guidelines, we aim at reaching a peaceful and fair solution that will be permanent and mutually accepted; that provides for the self-determination of Western Sahara in line with the principles established in the UN Charter, with special focus on the responsibility of both sides of the conflict.

We acknowledge the efforts that both sides carri ut to preserve peace, and we support UN Mission to organize a referendum in Western Sahara. The referendum was supposed to take place 1992 to give the Saharawi's the right to decide over their own future, but has not taken place until today.

For a peaceful solution with respect for human rights and democracy, all forces must work more actively and the International Community must make sure that both sides implement the decision taken. Furthermore, we highlight the relevance of having the Security Council performing rigorously in order to preserve peace.

United Nations A/HRC/28/NGO/135

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Human Rights Council
Twenty-eighth session
Agenda item 7
Human rights situation in Palestine and other occupied Arab territories

Written statement* submitted by the Al Mezan Centre for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03792 (E)
1503792

Please recycle

Lifting the Closure in Conjunction with Crucial Accountability

The Al Mezan Centre for Human Rights is presenting this written statement to call for support for the collective steps initiated towards securing accountability and access to justice for victims of Israel's mechanisms of occupation and closure/blockade of the Gaza Strip. While efforts made towards ending impunity remain crucial, the groundwork for justice requires the complete lifting of Israel's closure of the Gaza Strip, which results in the infringement of basic and inalienable rights of the Palestinian people and maintains a wholly unsustainable situation amounting to a protracted humanitarian crisis.

Military offensive

On 7 July 2014, the State of Israel launched a large offensive codenamed 'Operation Protective Edge' (OPE). The 51-day offensive was comprised of a brutal campaign of violence by land, air, and sea against the Gaza Strip. The offensive resulted in the killing of 2,215 people in Gaza by Israeli forces, including 556 children, 293 women, and 42 people with disability. Of the total fatalities, 1,093 people were killed in their homes, including 387 children and 242 women. Israeli forces targeted, destroyed and damaged civilian and public infrastructure en masse, including medical, sanitation, education, and electricity facilities. Over 32,027 homes were destroyed completely or sustained significant damages. The destruction continues to compound the longstanding violations from the closure/blockade, including on the right to health, right to adequate housing, and right to an adequate standard of living.

Closure

Additionally, from 1 November 2013 until 31 October 2014, Al Mezan documented over 130 incidents of torture and cruel, inhuman and degrading treatment (CIDT) by Israeli forces and authorities of Palestinians in Gaza seeking medical care in Israel or the West Bank, and in Israeli prisons. The incidents of torture and CIDT were carried out as an extension of the policy of closure, where arrests of people in or near the Israeli-controlled buffer zone, of fishermen, and of patients, are frequent. Outside of the July-August 2014 full-scale military bombardment and within the context of Israeli mechanisms of control of the Gaza Strip, Israeli forces killed 25 Palestinians in Gaza in 2013 and 2014.

The entire population of Gaza suffers from the closure/blockade in its denial of basic services and needs, including goods, food, medicine, infrastructure, and access to education and healthcare. These restrictions affect the life and wellbeing of the whole population, while placing particular groups of society at a higher risk of vulnerability such as children, women, older people, and people with disability. As reported by the International Committee for the Red Cross (ICRC) in 2010, such restrictions, inflicted on an indiscriminate number of persons, amount to a form of collective punishment of a civilian population in violation of the absolute prohibition included in Article 33 of the Fourth Geneva Convention (IVGC).

The temporary ceasefire agreement that became active on 26 August 2014 included provisions of renewed terms for Israel's closure/blockade of the Gaza Strip. The measures implemented by Israel since have not been sufficient to deem an easing of restrictions and have not meaningfully improved the humanitarian crisis.

Reconstruction

The Gaza Reconstruction Mechanism (GRM), as it is currently framed, remains futile: the process is inefficiently slow against massive destruction; it further institutionalizes the closure/blockade by operating under the Israeli instituted mechanisms of control; and it gives the Israeli government financial gains within the administration of the reconstruction efforts. The GRM lacks necessary components of accountability and inappropriately benefits the Israeli economy.

Accountability

The link between the closure policy and Israel's lack of accountability is evident in the Israeli government's denial of Palestinian victims' physical access to Israeli courts, which results in the dismissal of their cases. The evidence from Al Mezan's continued engagement with Israel's investigatory mechanisms demonstrates that as the institutions stand, the mechanisms do not function to hold political leaders and military commanders to account and do not comply with international standards of the duty to investigate.

Al Mezan is currently pursuing 21 serious requests for criminal investigations into the actions of Israeli forces during the bombardment with Israel's Military Advocate General; to date, 2 cases have been closed without any preliminary investigation. Al Mezan also submitted notifications of intention to file civil compensation cases to the Ministry of Defence on behalf of 287 victims in serious attacks by Israeli forces during OPE.

Self-determination

A previous petition to Israel's Supreme Court to end the blanket ban on student travel from Gaza to the West Bank was dismissed by the Court despite the failure of the State to provide any evidence that the movement of students poses security risks. The ban, in violation of Article 13 of ICESCR, remains in effect since 2000. Hindering the normal functioning of the Palestinian education system, the ban hampers development without any lawful justification. The Israeli government informed the Court that the ban was motivated by pursuing a policy of separation between Gaza and the West Bank, and not by specific security concerns.

The closure policy must be seen in the context of Israel's efforts to prevent Palestinian self-determination, fragment the occupied Palestinian territory, and annex land. The closure policy is not a security measure, but rather a political measure to serve Israeli strategic aims.

We are therefore urging the Honorable Council to consider two matters of primary concern:

—The illegal occupation and closure of the Gaza Strip is preventing the population from rebuilding, healing, and breaking out of the protracted effects of Israel's most recent bombardment. The closure policy also hinders the already obstructed avenues towards justice. Accountability initiatives must be taken in conjunction with swift measures to enable the Palestinian population of Gaza to achieve an adequate standard of living.

—The initiatives currently underway to secure justice and accountability internationally, both through the Human Rights Council Commission of Inquiry and the International Criminal Court, have been repeatedly undermined, obstructed, and delayed. The actions therefore require the full support and backing of the Honorable Council and the international community, in line with UN principles of justice and International Law.

Now more than five years on from Judge Richard Goldstone's conclusion on the closure, we remember his call that if the situation did not improve within six months, the matter should be referred to the International Criminal Court. Where Judge Goldstone considered the cumulative impact of the closure/blockade with the years of justice and accountability denied, the conclusion highlighted a possible crime against humanity.

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Human Rights Council
Twenty-eighth session
Agenda item 7
Human rights situation in Palestine and other occupied Arab territories

Joint written statement* submitted by the ADALAH - Legal Center for Arab Minority Rights in Israel, Al Mezan Centre for Human Rights, Al-Haq, Law in the Service of Man, Cairo Institute for Human Rights Studies, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Addressing Persistent Failures of Israeli Domestic Investigations and Necessary Steps to End Israeli Impunity

As independent human rights organizations working to protect the rights of Palestinian residents of the Occupied Palestinian Territory (OPT), we welcome the opportunity to contribute to the Human Rights Council (HRC), particularly Agenda Item 7. We are deeply concerned, and request intervention by the HRC to effectively address:

- The ongoing lack of domestic accountability in Israel for serious violations of International Humanitarian Law (IHL) and International Human Rights Law (IHRL), such as those committed in the context of repeated Israeli military operations in the Occupied Palestinian Territory, particularly the Gaza Strip, but also in the occupied West Bank (including East Jerusalem);
- Israel's persistent non-cooperation with independent international investigations, such as the HRC's 2009 Fact Finding Mission into the Gaza Conflict (Goldstone Mission) and the Council's current Commission of Inquiry on the 2014 Gaza Conflict, as well as the relevant UN Special Procedures; and
- Israel's unlawful prolonged military occupation of the OPT, including the eight-year closure/blockade of the Gaza Strip, which is the root cause of recurring violence and ongoing violations of the human rights of Palestinians.

According to UN OCHA, between 8 July and the end of August 2014, at least 2,131 Palestinians were killed during "Operation Protective Edge", Israel's massive military operation in the Gaza Strip.[1] Al-Mezan Center for Human Rights in Gaza documented the killing of 556 children and 293 women during the Israeli military offensive, the vast majority of whom were killed inside their homes.[2] The Israeli military directly targeted family homes, destroying or severely damaging over 18,000 housing units.[3] According to OCHA, between June and August 2014, 27 Palestinians, including five children, were also killed in the occupied West Bank, including East Jerusalem.[4] In this same period, Israel's continued expansion of its illegal settlements in the occupied West Bank (including East Jerusalem) was accompanied by a campaign of collective punishment, and forced displacement.[5]

To date, Israel's investigations into Operation Protective Edge fall far short of the international standards of independence, impartiality, effectiveness, promptness and transparency. The vast majority of civil notifications and criminal complaints made respectively to the Israeli Ministry of Justice's reparations department and the Military Attorney General (MAG), remain unanswered, or have already been closed, indicating that, as in the past, the perpetrators will not be held accountable for serious IHL and IHRL violations against Palestinians.[6]

This submission illustrates this persistent pattern of Israel's failure to investigate the actions of the Israeli military in accordance with international standards, and also addresses the barriers imposed by Israel on Palestinians in Gaza from accessing Israeli courts.

In 2009, the Goldstone Mission, charged with investigating all violations of IHRL and IHL during Israel's "Operation Cast Lead" concluded that, "there are serious doubts about Israel's willingness to carry out genuine investigations in an impartial, independent, prompt and effective way as required by international law."[7] According to the Follow-up Committee of Independent Experts that monitored implementation of domestic investigations, Israel's practice of opening only a very small number of investigations into alleged violations by its military casted doubt on the impartiality of the system in general, and the MAG in particular.[8]

Despite Israel's contention that investigations have been improved in accordance with the recommendations of its government-appointed Turkel Commission, there has been no significant progress. Whereas the Turkel Commission Report (2013)[9] did identify serious shortcomings in Israel's investigatory mechanisms, its recommendations did not address the "dual role" played by the MAG, nor the absence of clear or written legal norms anchored in international law that would guide the circumstances under which the MAG will open investigations. Finally, although two years have passed since the issuance of the Turkel Report, Israel has implemented almost none of the recommendations.

Thus, domestic Israeli investigations continue to deviate substantially from international law requirements, including:

- Lack of independent investigatory mechanism (independence/impartiality): The Israeli military's newly established Fact-Finding Assessment Mechanism (FFAM) belongs to and is under the authority of the military, and is still within the hierarchy and internal organization of the army.
- Vague arguments about the existence of military necessity, military targets: The MAG does not offer any evidence used to justify the attacks against civilians or civilian objects, such as why the attacks were militarily necessary, or how, when, and where the objects were used for militaristic purposes.
- Lack of a time frame for examinations and investigations (promptness)
- Unwillingness of MAG to disclose information on witnesses and testimonies, and other evidence (transparency): In its responses, the MAG emphasized that all investigative material is classified or "secret" including the identity of the witnesses, which raises suspicion regarding the validity and accuracy of the evidence.
- Unclear circumstances under which the MAG will open an investigation

Palestinians, in particular residents of the Gaza Strip also face severe barriers to access Israeli courts in civil compensation cases against the Israeli military. Due to the severe restrictions of movement imposed by Israel's eight-year blockade of the Gaza Strip, which limit exit permits to exceptional and urgent humanitarian cases, Palestinians are denied the right to appear at evidence hearings in cases against the Israeli military, which leads to their cases being dismissed. In addition, Israel also imposes numerous barriers such as a shorter statute of limitations[10] and high financial guarantees[11] that essentially prevent Palestinians from Gaza from receiving civil remedies and compensation for their injuries by the military from Israeli courts.[12]

In December 2014, the Supreme Court contradicted a 2006 decision and upheld the onerous regulations set by the State Attorney's Office.[13,14] In practice, the 2014 decision effectively closes the doors of the Israeli courts to Palestinian residents from Gaza for their civil compensation claims, which thereby also constitutes a serious breach of Israel's obligations under international law.

The lack of accountability on Israel for its repeated severe violations of IHL and IHRL fosters a culture of impunity that all but ensures the repetition of its devastating military assaults, and the continuation of its prolonged military occupation of the Palestinian Territory. Further, Israel's refusal to cooperate with independent international mechanisms has profound implications for the protection of human rights worldwide. Accordingly, we call on the HRC and members states to:

1. Conclude that, to date, Israeli domestic investigations demonstrate an unwillingness and inability to genuinely carry out investigations or prosecutions in compliance with international standards;
2. Condemn Israel's persistent non-cooperation with UN Mechanisms, including the COI and Special Procedures;
3. Demand that Israel immediately lift the blockade of the Gaza Strip and cease collective punishment of Palestinians in the OPT, including East Jerusalem;
4. Demand that Israel remove all barriers for Palestinians to access Israeli courts to pursue civil claims against the Israeli military
5. Fully support any findings of the COI that call on Israel to comply with IHL and IHRL rules and norms including the investigation of and accountability for all violations in accordance with international standards;
6. Reiterate that Israeli violations of IHL and IHRL are rooted in Israel's prolonged military occupation of the OPT, whose inherently discriminatory features thwart the pursuit of justice for Palestinian victims.

•Civic Coalition for Palestinian Rights in Jerusalem, an NGO without consultative status, also shares the views expressed in this statement.

[1] OCHA, Gaza Emergency situation report: http://www.ochaopt.org/documents/ocha_opt_sitrep_04_09_2014.pdf

[2] See also Al-Mezan and Lawyers for Palestinian Human Rights (LPHR), Joint-complaint concerning destruction and damage to family houses in the Gaza Strip (hereafter Al-Mezan and LPHR Joint-complaint): http://mezan.org/en/details.php?id=19551&ddname=IOF&id2=7&id_dept=30&p=center

[3] OCHA, Gaza Emergency Situation. http://www.ochaopt.org/documents/ocha_opt_sitrep_27_08_2014.pdf

[4] See OCHA, Humanitarian Bulletin Monthly Report June – August 2014, p.3: http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_10_03_english.pdf

[5] Civic Coalition for Palestinian Rights in Jerusalem, Occupied East Jerusalem Report to the COI. 31 January 2015.

[6] For details about the status of the complaints filed by Adalah and Al-Mezan, see Adalah's Report to: The United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, 31 January 2015, pp 14-16: http://www.adalah.org/uploads/Adalah-Submission-UN-COI-Gaza-2015.pdf

[7] Report of the United Nations Fact-Finding Mission on the Gaza Conflict, U.N. Doc. Para. 1832 A/HRC/12/48 (September 25, 2009).

[8] Of the 400 incidents examined by the military, only three resulted in indictments, and the most severe punishment delivered for credit card theft. See HRC, Report of the Committee of independent experts in International humanitarian and human rights law pursuant to Council resolution 13/9, U.N. Doc. Para 24, A/HRC/16/24 (May 5, 2011); see also Amnesty International, Families Under the Rubble (2014) at 40: http://www.amnesty.org/en/library/asset/MDW15/032/2014/en/613926df-68c4-47bb-b587-00975f014e4b/mde1503222014en.pdf

[9] The Second Turkel Commission Report "Israel's Mechanisms for Examining and Investigating Complaints and Claims of Violations of the Laws of Armed Conflict According to International Law": http://www.turkelcommittee.gov.il/files/newDoc3/The%Turkel%20Report%20for%20website.pdf

[10] Section 5a(c) of the Civil Wrongs Law shortens the statute of limitations from seven to two years in lawsuits submitted against the state concerning actions of the security forces.

[11] The average sum of the guarantee is NIS 30,000 (EUR 6,730).

[12] For examples of cases dismissed because of Israel's policy of denying entry, see Adalah COI, pp 23-26.

[13] HCJ 7042/12 Maher Abu Daqqa v. Minister of the Interior

[14] HC 8276/05, Adalah, et. al. v. The Minister of Defense, et. al. (decision 12 December 2006)

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03549 (E)

1503549

Please recycle

Environmental crisis in Islamic Republic of Iran

The report of the Independent Expert on the issue of the enjoyment of a safe, clean, healthy and sustainable environment as a human right emphasizes on the obligations of the state relating to the environment and includes descriptions of specific good practices.

However, despite these good practices some regions are showing almost no improvement. In the Islamic Republic of Iran thousands of people are facing serious health hazards from air pollution, diminished water resources, dust storms, accelerated deforestation and desertification. The crisis is partly the result of local mismanagement of the Islamic Republic of Iran and partly by Iran's neighboring countries.

The environmental as the recent reports indicate is severe. In the cities of Ahwaz and Mahshahr in Khuzestan province, on January 31, 2015 the air pollution reached over 5000 micrograms per cubic meter. Around the noon in Mahshahr 10000 microgram per cubic meter was measured. Particle pollution of PM10 over 435 microgram per cubic meter is scaled as hazardous. The Authorities ordered the closure of schools and advised businesses to reduce their hours after toxic smog covered the city. "The city was covered in dust," the Iranian Students News Agency (ISNA) reported[1]. Iranians tweeted pictures of buildings and streets covered with dust with the hashtag #Khouzestancantbreath

On the event's Facebook page, residents of several cities around the country have published photos of rallies against environmental hazards. Even before these recent nationwide demonstrations, over the last few months, other gatherings had been organized in some cities such as Zanjan, Arak and Shazand all against air pollution, a serious health issue that affects all Iranians.

On Feb. 8, 2015, Nasser Sudani, a memberparliament from Ahvaz, complained that:"instead of breathing air, the people in Khouzestan are breathing dust."[2] He blamed the officials in the administration for not offering a solution to the crisis, saying, "The health of millions in Khouzestan is in danger but we see no action from the administration." He warned that if a solution is not presented, those living in Khouzestan will face difficulties.

Iran's critical water crisis is another mark of environmental conditions. Iran is currently the third biggest dam builder in the world, with consequent overuse of fossil groundwater sources, drying of its major rivers, and destruction of wetlands. Lake and rivers are drying out. Lake Urmia, once the largest salt lake in the Middle East, is nearly vanished. Wetlands are drying one after another and water quality is degrading in some populous areas.[3] As a result the Islamic Republic of Iran is experiencing more frequent dust storms. These are extremely unpleasant, to agriculture and livestock, decrease the quality of life of inhabitants, and eventually force out-migration.

The shrinking of surface water sources has encouraged aggressive extraction of non-renewable groundwater resources, making Iran one of the world's top groundwater miners, with declining groundwater levels causing major subsidence in some areas. Some estimates suggest 70% of Iran's groundwater resources have been used and that groundwater shortage and quality will be the next national environmental disaster that Iranians will face. Parliament member Ismael Jalili from Masjed Soleyman blamed the Energy Ministry for its poor management of the wetland, rivers and springs in the province.

Tehran's 8.3 million residents inhaled a deadly mix of rubber particles, asbestos, sulfur dioxide, nitrogen oxide, carbon monoxide, and partially unburnt hydrocarbons for more than six months out of the year. Cancer and respiratory illnesses - the second and third highest causes of death in Iran - are on the rise. Nearly 70,000 people are diagnosed with cancer each year, a number that is likely to increase by 90% by 2020, according to the Cancer Research Centre of Iran.[4]

Tehran has cleaned up recently, with carbon monoxide levels no longer a problem, lead eliminated from gasoline, and sulphur levels dropping from a frightening 8000 parts per million (ppm) to less than 200 ppm (they are aiming at <10). But a third of days in Tehran are still officially "unhealthy." It's worse for the vulnerable and schools are often closed.

Tehran Mayor Mohammad BagherGhalibaf, "Today our main problem is the environment, and we cannot say that the environment is endangering people's lives. We must say that the environment is taking people's lives." Ghalibaf said.

"You might say there is a problem with the budget or the law, but in my opinion these are preliminary problems and we have not even been able to use the budget in the legal capacities that we have."[5]

Tehran is no stranger to shut-downs over pollution, usually due to smog. On June 2, 2014, a major sand storm hit Tehran, temporarily closing down the city. According to one Tehran-based environmentalist, "Air pollution is reaching a point where it is noticeable as a social or political demand. If people were crying 'where is my vote' in 2009, their demand in 2014 was, 'where is my breathable air?'"

Environmental rights as human rights require a commitment to other basic rights: access to information, freedom of speech, freedom of assembly, right to health and right to a remedy. But the I.R.I. is suppressing all voices against environmental pollution.one example is Mr. Ribwar Kamranipour, an environmental activist and member of Sabzchiya Association who was summoned by Intelligence Service office of Sanandaj on 10 Dec 2014 and no authoritytakes responsibility for his detention, and there is no news of him.

Recommendation to the Government of the Islamic Republic of Iran:

1) Increasing environmental laws in terms of quality and quantity for providing limitations against destructive environmental activities and overuse of natural resources and applying changes to them.

2 Increasing attention to the relationship between the environment and sustainable development (clean development) as well as International supervision regarding the indicators of sustainable development.

3) Evaluation of all construction plans for their environmental impact before they are implemented.

4) Environmental NGOs and activists should be allowed to discuss and supervise the implementation of government and private construction plans without being threatened with prison.

5) Regarding air pollution, measures need to be taken which include the allocation of resources to implement the findings of scientific studies on fine particles and dust storms and also educational work to raise people's environmental awareness by way of mass media while providing the population with adequate safety measures and medical facilities.

6) The development, advancement and optimization of meteorological systems in situ and satellites to simulate dust progress and issue warnings. Also, the prediction of the effects of environmental phenomena related to dust storms and the elaboration of strategies to deal with these storms through collaboration with research centers and international institutions.

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[1]khouzestan.isna.ir/Default.aspx?NSID=5&SSLID=46&NID=58095

[2]www.icana.ir/Fa/News/271974

[3]http://link.springer.com/article/10.1007%2Fs13412-014-0182-z

[4]http://www.presstv.com/detail/2014/02/08/349747/cancer-rising-wave-striking-iranians/

[5]http://www.farsnews.com/newstext.php?nn=13921016001130

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Universal Periodic Review

Written statement* submitted by the Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Egypt Human Rights Situation Post the UPR Process

On 5 November 5 2014, the United Nations Human Rights Council held the Universal Periodic Review (UPR) of Egypt. This review assessed the country's human rights record over the past four years. The following statement is an update from the ground on the current human rights situation in Egypt since November 2014. This analysis pays particular attention to the recommendations made by states during the UPR...

The right to freedom of peaceful association was a major focus during the UPR session. While the Egyptian government responded by acknowledging the importance of civil society, in practice the crackdown against independent human rights organizations continued resulting in direct and major repercussions on their work on the ground. An imminent crackdown on civil society organizations was scheduled to take place on November 10, 2014 –only 5 days after the review process. Although the Ministry of Social Solidarity ultimatum to Egyptian NGOs is postponed, the harassment of NGOs continues through several forms. Consequences from this harassment include, some organizations transferring portions of their programs outside the country, while others have decided to shrink their scope of work leading to the downsize of their work force. On the same front, one month following the UPR review of Egypt travel ban was issued against three board of directors for the Egyptian Democratic Academy (EDA) in relation to the foreign funding case of 2011.

On another hand, political control **of the judiciary** has continued to jeopardize the right to free and fair trial. On 2 December2014, the Egyptian court handed down provisional death sentences against 183 defendants allegedly all accused of killing eleven police officers and two civilians during an attack on Kerdassa police station that took place on August 2013. The sentence was labeled by UN experts as a 'profound disgrace'. These mass death sentences were taken after mockery trials where the most basic rights of the defendants were not met. The renewal of the mass death sentence happened amidst a controversial decision to acquit former president Mubarak, his minister of interior and six of his aids of charges of killing protestors during the January 25th uprising.

On 4 February 2015, a judge sentenced Ahmed Doma, a secular activist who was detained on December 2013 - alongside228 other persons to a life sentence as well as a 17 million EGP pound fine. It should be noted that the lawyers' syndicate had decided prior to not allow any of those detained lawyers to be present during the case based questions surrounding the impartiality of the presiding judge..Among the defendants are 8 women, in addition to a female minor among 38 other minors who were sentenced to 10 years imprisonment.

Several human rights defenders have had their trials postponed by the judiciary, thus prolonging unjustifiably their detention. This includes, human rights defender, Ms. Yara Sallam who has been detained since June 2013 because of her humble testimony that she works with a human rights NGO.[1] In the same case, She, among other activists, including activist Ms. Sanaa Seif, were sentenced on 28 December by the Abbasia Appeal Court to 2 years imprisonment and 2 years surveillance.

On 27 October 2013, President Sissy enacted a decree **expanding the jurisdiction of military courts**. The decree is a reincarnation of the infamous Emergency law used by Mubarak to silence his political opponents. The decree was quickly enacted when the Cairo Criminal Court referred five al-Azhar University students to military court on charges related to protests against the Egyptian government. In a similar case, on 25 November, the Tanta Appeals court referred several defendants, including a minor to the military prosecution. The defendants were referred on the charges of protesting without authorization and belonging to the Muslim Brotherhood. This is in clear violation of the Egyptian constitution and international treaties ratified by Egypt that bans both military trials for civilians and the prosecution of

[1] http://eipr.org/en/pressrelease/2014/10/26/2252

children before non-child specialized courts. More recently, on 13 December 2013, Egypt's prosecutor general referred 439 people for trial by a military court on charges linked to their alleged participation in violence that erupted in 2013.These are but a few cases that demonstrate the intention of the Egyptian authorities to increase the mandate and application of military courts over civilians despite official claims of the opposite.

Claims of **enforced disappearances and incommunicado detention** have been on the rise in Egypt, since 3 July 2013. There have been numerous Claims on the several disappearance cases with little to no action or response by the Egyptian authorities. Until now, the fate of seven fishermen who were abducted by security forces on November 11 remains unknown.[2] The Egyptian authorities have employed a practice of forced displacement as a form of collective punishment against communities where suspected terrorists are believed to live. During the month of November 2014, the Egyptian military and police forcibly displaced more than 1,165families from the Rafah area in Sinai as well as demolishing approximately 800 houses. The authorities failed to comply with the basic safeguards of forced eviction under international law; leaving a sense of bitterness towards the state performance in the eastern region of Egypt. The **counter-terrorism strategy** is not limited to incommunicado detentions, forced displacement of people in Rafah and other forms of violations for suspects of alleged crimes of terrorism. The government has also introduced additional draconian legislation to increase its iron fist and prevent accountability for violations. On 26 November, a new draft law was approved by the cabinet of ministers providing the government with unrestricted authority to declare an entity a terrorist organization without proof of the commission of specific crimes enumerated in law for designation.[3] The law is believed to be used essentially –amongst other- to provide the government the power to dissolve political parties and deny political opponents the exercise of their political rights and their vote for up to three years without judicial overview.

While there reports has not been made public, human rights groups have been documenting tens of cases of **deaths among detainees** in places of detentions in Egypt.

. **Arbitrary Arrests and detentions and the right to peaceful assembly** continues to be systematically violated. Protestors are not only being arrested arbitrarily, but also a majority of assemblies, whether political or non-political, are met by excessive use of violence. A flagrant example was on 24 January, when 50-persons-march by the Socialist Popular Coalition Party holding banners and flowers was attacked by the police. During this attack Shaimaa Al-Sabbagh, a female democracy advocate and WHRD, was killed by birdshot bullets.[4]Azza Soliman, Lawyer and the Head of the Trustees Board of the Center for Egyptian Women's Legal Assistance (CEWLA), witnessed the incident and volunteered to testify at the Prosecutor's Office. Immediately following her offer to testify she was charged with participating in a demonstration that jeopardized public security.

39 arrests of students have been documented during the months of November and December alone.[5] Police forces arrested students from demonstrations and other public activities in the universities, while others were arrested from their homes. Arresting students is not the only method utilized to reprehend them for participating in public activities. Scores of students are subjected daily to internal investigations in the universities that most often results in their dismissal from college.[6]

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[2]http://eipr.org/en/pressrelease/2014/11/25/2286
[3]http://www.cihrs.org/?p=10301&lang=en
[4]http://www.cihrs.org/?p=10773&lang=en
[5]https://docs.google.com/spreadsheets/d/1xI2WF9SdZ7FF3qJAdKwl0FNVHY33ylKBMUuJdKkLOdA/edit?usp=sharing
[6]http://afteegypt.org/academic_freedom/2014/11/08/8697-afteegypt.html

In another incident, Police arrested 6 individuals while protesting against the acquittal of formal president Mubarak. 4 of the 6 were acquitted 20days after the arrests.[7]

Arbitrary arrests were not limited to political opponents, on 7 December, police forces arrested 26 men in a public bathhouse in Cairo on charges of engaging in "perversion". Pro-government television showed released images of the semi-naked men being bundled into awaiting police vans. This arrest is the latest in a series of arrests, detentions and public humiliations performed by the Egyptian police to impose *public virtue*. The detainees were later all acquitted by a court for lack of sufficient evidence for debauchery.

On 8 February, the police failed to secure the entrance of a few thousand football fans to attend a football game. This resulted in the tragic death of some 22 people.[8]Among the 22 killed was a14 year-old girl.

Examining the state of **Freedom of Opinion and Expression** in Egypt, we turn to attacks on journalists. . In November alone 12 journalists were assaulted by police forces while covering public events.[9] In December 2 journalists were arrested and currently detained as a result of covering violations by security forces during public protests.[10] On 13 December, the state owned Al-Ahram publishing house confiscated the weekly edition of the Al-Masreyoun newspaper after an objection of security bodies to the content of some of its articles.[11]

Following up on the 2014 UPR of Egypt, a national strategy to combat **violence against women** has been announced in a manner that was neither transparent, nor inclusive. Moreover, despite efforts by feminist groups and NGOs to amend articles 267, 268 and 269 these article still are not inclusive to comprehensive forms of sexual violence being committed in the public space. In regards to accountability, 7 perpetrators of mob-sexual assaults and gang rapes committed on 8 June 2014 have been held accountable, whereas crimes committed since November 2012 have not been investigated. Finally, no provisions of gender budgeting, evaluation and monitoring have been made, nor legislation has been enacted to mandate the regular collection of statistical data and research to ensure an adequate knowledge base for effective implementation and monitoring.

[7] www.cihrs.org /?p=10866&lang=en
[8] www.cihrs.org /?p=10866&lang=en
[9] http://afteegypt.org/law_unit/2014/12/23/8949-afteegypt.html
[10] http://afteegypt.org/media_freedom/2014/12/23/8947-afteegypt.html
[11] http://anhri.net/?p=138978&lang=en

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the International Association against Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 February 2015]

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1503783

Please recycle

Torture in the U.S.A.

The implementation of the Universal Periodic Review has somewhat mitigated the double-standard of human rights exposure and review which has for too long existed in the United Nations, i.e. human rights violations only occur in developing countries, while human rights are respected in the WEO Group countries. This double standard undermines the credibility of the United Nations to the majority of the peoples of the world. The chief beneficiary of this double standard has been the United States of America which mercilessly criticized those countries who allegedly tortured its prisoners but, until the UPR, steadfastly refused to examine its own misconduct.

The Committee Against Torture[1] report on the US is revealing and damning. We are providing further background to the CAT report in order to destroy any vestiges of the UN double-standard.

On December 9, 2014 President Obama released the US Senate Report on Torture[2]. It exposed that the US had systematically engaged in torture since September 22, 2001 and the extraordinary and inhumane lengths to which it had done so. These facts were known to much of the rest of the world whose people were victims of this torture but had been vigorously withheld from the U.S. public. President Obama justified the need to release the report by stating that these acts of torture were "not us," i.e. that this is not what the United States does. He further said, "One of the things that sets us apart from other countries is that when we make mistakes, we admit them."[3] Neither of his statements are accurate. These acts of torture were not "mistakes."

The history of the USA is predicated on violence and torture. Imam Jamil Abdul al-Amin, formerly known as H. Rap Brown, a leader in the Black Power Movement in the 1960s, famously noted, "Violence is as American as cherry pie."

The subduing of the indigenous peoples of the Western hemisphere was done violently[4]. Violence maintained chattel slavery. Enslaved Africans who rebelled or resisted were whipped, beaten, branded, hung, tortured and beheaded among other acts designed to elicit information on co-conspirators and to discourage future acts of resistance.[5] The end of de jure slavery after the Civil War was replaced by the de facto slavery of Jim Crow which was maintained by terror and torture[6]. The "Equal Justice Initiative" has just released a report "Lynching in America: Confronting the Legacy of Racial Terror," which documents 4000 lynchings of Black people throughout the southern United States between 1877 and 1950.

The U.S. is no stranger to waterboarding. They used it in the 1898 takeover of the Philippines. They called it the "Water cure." It was described thusly to a Senate panel:

"A man is thrown down on his back and three or four men sit or stand on his arms and legs and hold him down, and either a gun barrel or a rifle or a carbine barrel or a stick as big as a belaying pin...is simply thrust into his jaws and his jaws are thrust back, and, if possible, a wood log or stone is put under ... his neck, so he can be held firmly... in the case of very old men I have seen their teeth fall out. He is simply held down, and then water is poured into his face, down his throat and nose from a jar, and that is kept up until the man gives some sign of giving in or becoming unconscious, and when he becomes unconscious he is simply rolled aside and he is allowed to come to...Well, I know that in a great many cases, in almost every case, the men have been a little roughly handled; they were rolled aside rudely, so that water was expelled. A man suffers tremendously; there is no doubt about that. His suffering must be that of a man who is drowning, but he cannot drown."

The author further notes: *"Ingenious Yankees employed a variety of other gruesome tortures, including flogging, scorching bound prisoners over open fires, and the "rope cure" (hanging trussed prisoners from the ceiling)."* A Private from Utah writes home, *"No cruelty is too severe for these brainless monkeys, who can appreciate no sense of honor, kindness or justice."*[7]

This century-old racist description of the enemy sounds familiar.

In his famous 1967 speech on "Why I am Against the War," Dr. Martin Luther King compared the United States' military's use of chemical weapons in Vietnam to the "new medicine and new tortures in the concentration camps of Europe."

So for people of African descent in particular, US protestations of torture "not being us" ring hollow. Our direct experience tell us that torture is a routine weapon in an arsenal designed to maintain a privileged status quo.

Excerpts from the United States Senate Select Committee Report on Torture

Interrogation techniques such as slaps and "wallings" (slamming detainees against a wall) were used in combination, frequently, concurrent with sleep deprivation and nudity.

The waterboarding technique was physically harmful, inducing convulsions and vomiting. Abu Zubaydah, for example, became "completely unresponsive, with bubbles rising through his open, full mouth." Internal CIA records describe the waterboarding of Khalid Shaykh Mohammad as evolving into a "series of near drownings."

Sleep deprivation involved keeping detainees awake for up to 180 hours, usually standing or in stress positions, at times with their hands shackled above their heads. At least five detainees experienced disturbing hallucinations during prolonged sleep deprivation and, in at least two of those cases, the CIA nonetheless continued the sleep deprivation.

"Rectal rehydration" [a euphemism for forced feeding through the rectum of prisoners who protest their inhumane conditions by going on a hunger strike].

Throughout the program, multiple CIA detainees who were subjected to the CIA's enhanced interrogation techniques and extended isolation exhibited psychological and behavioral issues, including hallucinations, paranoia, insomnia, and attempts at self-harm and self-mutilation. Multiple psychologists identified the lack of human contact experienced by detainees as a cause of psychiatric problems.

Drone "Terror"

Under the cynically misnamed War Against Terror, the U.S. military inflicts daily terror and death upon the civilians of sovereign countries which the US has designated as terrorist hideouts. Through sophistry and outright lies the military disguises the extent of "collateral damage" [ruthless murders] which accompany their "targeted" drone strikes. A 2012 New York Times article explains that *Obama's rhetorical emphasis on avoiding civilian deaths "did not significantly change" the drone program, because Obama's method for counting civilians "**counts all military-age males in a strike zone as combatants**. ...Counterterrorism officials insist this approach is one of simple logic: people in an area of known terrorist activity, or found with a top Qaeda operative, **are probably up to no good**."*[8]

Torture of US-held Political Prisoners

Although the U.S. denies their existence, Black and Puerto Rican political prisoners held by the U.S. are not surprised by the torture documented at Guantanamo. For example, Sekou Odinga, a Black Panther and member of the Black Liberation Army has just been released from prison after serving 34 years for his alleged connection to a 1981 expropriation of a Brinks armored car in Nyack, NY. He was captured after a car chase and shootout with police who assassinated his wounded and helpless comrade Mtayari Shabaka in cold blood. Sekou, also wounded, was taken to a hospital where Joint Terrorist Task Force agents beat him for hours, nearly destroying his pancreas, ripped out his toe nails, broke his ribs, extinguished cigarettes on his body and repeatedly forced his head into a toilet in an unsuccessful attempt to fain information from him.

Police Brutality

The CAT notes the lack of statistics concerning police violence. FBI Director James Comey has recently said, "Demographic data regarding officer-involved shootings is not consistently reported to us through our Uniform Crime Reporting Program. Because reporting is voluntary, our data is incomplete and therefore, in the aggregate, unreliable."[9]

What we know is that United States law enforcement personnel have operated in Black communities as if they had a "license to kill." Clifford Glover (1974, Queens, NY), Eleanor Bumpurs (1985, Bronx, NY), Oscar Grant (1998, Oakland, California), Amadou Diallo (1999, Bronx, NY), Sean Bell (2005, Queens, NY), Jonathan Ferrell (2013, Charlotte, North Carolina), Eric Garner (2014, Staten Island, NY), Michael Brown (2014, Ferguson, Missouri), Dontre Hamilton (Milwaukee, Wisconsin 2014); Tameer Rice (12 years old, 2014, Cleveland, Ohio) are just a few of the many unarmed people murdered by the police. Indictments of these officers rarely happened. Prosecutions were even rarer. Convictions almost non-existent, and the few sentences served were minimal.

Conclusion

We urge the HRC to continue its investigation of torture by the US and to exert as much pressure as possible to force prosecution of those responsible.

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[1] CAT/C/USA/CO/3-5

[2] Senate Select Intelligence Committee. "Committee Study of the Central Intelligence Agency's Detention and Interrogation Program."
http://www.feinstein.senate.gov/public/index.cfm/files/serve?File_id=7c85429a-ec38-4bb5-968f-289799bf6d0e&SK=D500C4EBC500E1D256BA519211895909

[3] Kaplan, Rebecca "Obama on CIA torture report: 'When we make mistakes, we admit them,'" CBS News, 9 Dec 2014

[4] Brown, Dee, "Bury My Heart at Wounded Knee: An Indian History of the American West,"

[5] Horne, Gerald, Dr., "The Counter-Revolution of 1776: Slave Resistance and the Origins of the United States of America," NYU Press 2014. Rasmussen, Daniel, "American Uprising: The Untold Story of America's Largest Slave Revolt," Harper Collins 2012.

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[7] Bradley, James, "The Imperial Cruise: A Secret History of Empire and War," Back Bay Books, 2009

[8] Becker, Jo & Shane, Scott, "Secret 'Kill List' Proves a Test of Obama's Principles and Will," NYT 29 May 2012

[9] Comey, James, "Hard Truths: Law Enforcement and Race," 12 Feb 2015

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Written statement* submitted by the Jubilee Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Human Rights and freedom of religion in Pakistan

The Jubilee Campaign seeks to draw the Human Right council's attention to the situation of freedom of religion in the Islamic republic of Pakistan.

Though it was formed as a state for Muslims, Pakistan was not initially an Islamic state in the strictest sense. Many religious minorities are indigenous to the country and call it home. Also, according to the Constitution of the Islamic Republic of Pakistan, Freedom of Religion for individuals of various religions and religious sects is guaranteed. However, the political landscape has been heavily influenced by Muslim clerics who have sought to bring Pakistani law into compliance with their interpretations of Sharia (Islamic law).

Jubilee Campaign highlights concerns about the existence and application of the Blasphemy Law, Pakistan Penal Code Section 295(c), which is used over and over again to persecute members of religious minorities. In 1991, the Federal Sharia Court ruled that the punishment for this offense should be harsher, and the PPC Section 295(c) was amended to make the death penalty mandatory for individuals convicted of making derogatory remarks about Muhammad. Also, Pakistan's penal code mandates the death penalty or life in prison for anyone defiling the name of Prophet Muhammad. This penal code mandates life imprisonment for desecrating the Quran, and up to 10 years' imprisonment for insulting another's religious beliefs with intent to outrage religious feelings.

Pakistan's blasphemy laws are problematic both in their form and their application. They have been the source of much debate and harm since the 1990s. In its form, Section 295-C of the penal code does not include in its clauses of the *intention* of using derogatory words against the Prophet Muhammad. This leads to violation of one of the most basic principle that the accused is innocent until proven guilty. Also, it is problematic in the way that the law only targets members of minority groups because of the purpose of the law.

This is proved by the fact that almost half of those accused under the law are of minority religious groups although only about 3% of Pakistan's population are non-Muslims, especially Christians. This also shows that the law is misused to persecute religious minority group. After a number of clauses were added to the blasphemy law in the 1980s, from 1987 to 2014 over 1300 people have been accused of blasphemy, mostly non-Muslim religious minorities. The vast majority of the accusations were lodged for desecration of the Quran.

One famous case that can show the problem of this law is the "Asia Bibi blasphemy case". Aasiya Noreen is a Pakistan Christian woman and a mother of her five children, who was convicted of blasphemy under Section 295-C of the Pakistan Penal Code by a Pakistan Court and received a sentence of death. In June 2009, she was convicted of insulting Mohammed after having a dispute with Muslim co-workers for the reason that she took a drink with a cup set aside for Muslims which is forbidden to Christians. In November 2010, she was sentenced to death. The Lahore High Court confirmed the conviction and death sentence in October 2014.

On account of his support for the accused and incarcerated Asia Bibi, Mr. Salmaan Taseer, the Governor of Punjab, was killed by his own bodyguard for his outspoken defense of Asia Bibi and his condemnation of the misuse of the blasphemy laws. Only weeks later, Mr. Shahbaz Bhatti, the only Christian member of Pakistan's cabinet was also killed for speaking out against the law and calling for the acquittal and release of Asia Bibi.

Moreover, the blasphemy laws are problematic in the way these are applied. There are no safeguards to ensure that the defendants can enjoy their due process and a fair hearing. In most of blasphemy trials, Muslim extremists attend the trials as a group, harassing and intimidating both judges and defendants. The sentenced people are threatened even in prison. For example, unlike any other prisoner, Bibi had to be kept away from other inmates for her own well-being because other individuals accused of blasphemy had been killed while in prison. Prison officials even give her raw materials to cook her own food out of concern that she could be poisoned.

In addition, all too often extrajudicial punishment based on retaliation or perceived offenses are committed by Islamic mobs. Several blasphemy law victims have been killed by Muslim extremists during their hearings. Some of the mob violence are committed in broad daylight in front of hundreds of people in the district court's compound.

Among those cases, the most brutal incident that epitomized the situation happened at the end of 2014. A young couple, 24 years old Shama Bibi and 27 years old Sajjad Maseeh, were murdered for alleged blasphemy. Their legs were broken so that they could not escape. After they were beaten by a mob, while still alive they were thrown into a brick kiln and their bodies were burned beyond recognition. Mob violence incidents are rarely intercepted by police, or police appear long after the violence has killed and maimed innocent victims.

Meanwhile, the blasphemy law allows Islamist Extremists to justify killings, because there is no provision in the law to punish a false accuser or a false witness of blasphemy. For this reason, it has become a powerful tool in the hands of extremists and is continually being used to attack churches, and kill Christian people. In one incident in 2013, a blasphemy charge led to Muslims burning down more than 150 Christians' homes and killing innocent people. These incidents point out that the vagueness of the anti-blasphemy laws, inadequate investigation, and intimidation by mobs and some religious groups were behind vigilantism across Pakistan.

Despite their frequent misuse, the blasphemy laws have not been amended nor revoked. The Pakistan government is reluctant to set up measures to resolve these problems. The Blasphemy laws have proven to be the most injurious weapon of active religious persecution by the extremists with encouragement from the government. In blasphemy charge cases, Police neglect that Muslim mob steal possessions and destroy Christians' home after blasphemy charges were made. In this situation, the police do not fulfill their duty but they are just mute spectators. The culture of impunity leads to more attacks since nothing happens to punish those who carry out the attacks.

The blasphemy laws in Pakistan violate the freedom of speech and freedom of expression which are guaranteed in the Universal Declaration of Human Rights. There are serious problems in both their format and application. The law itself fails to distinguish between malicious, deliberate acts of blasphemy and circumstances wherein the accused had no intent. The misapplication of the law leads to violation of the basic principle of law. Moreover, the laws are applied in a discriminatory way against religious minority groups, since they provide no protection nor due process to members of other religions except Islam. In most cases of a F.I.R. being brought against an accused, it is used as a revenge or false accusation against someone in a religious minority group.

Recommendations to the Human Rights Council

1. To urge the government of Pakistan to abolish the blasphemy law. In the process towards abolition, the government of Pakistan should amend the blasphemy laws so as not to violate but to provide adequate and effective guarantees of freedom of religion and belief.

2. To urge the government of Pakistan to amend the blasphemy laws to provide due process to the accused for blasphemy and not to violate basic principles that the accused is innocent until proven guilty.

3. To urge the government of Pakistan to ensure that any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence is prohibited by law and applies to the equal protection of all minorities.

4. To urge the government of Pakistan to review all cases of people accused of blasphemy, and apply international legal standards to acquit and release the accused, starting with Mrs. Asia Bibi.

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*Christian Solidarity Worldwide, an NGO without consultative status, also shares the views expressed in this statement

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Jubilee Campaign , a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Human Rights and freedom of religion in the Federal Republic of Nigeria

The Jubilee Campaign seeks to draw the attention of the Council to the persistent and unrelenting religious-based violence occurring in the Federal Republic of Nigeria. Attacks have primarily been carried out by Islamic jihadists, namely Boko Haram and Fulani herdsmen. Christian victims have overwhelmingly suffered from these ongoing attacks.

Jubilee Campaign monitors Boko Haram and Fulani attacks on Nigerian citizens and advocates for national and international prevention and intervention. According to Jubilee Campaign's calculations, approximately 42% of all the attacks that occurred in the Federal Republic of Nigeria for the year 2014 were on Christian communities, while Muslim communities, the government, schools, media and medical personnel, and random civilians comprised approximately 6.8%, 10.9%, 4.1%, 0.5%, and 35.4% respectively.

Horrifying attacks against Christian communities have accumulated in the past year. On June 4, 2014, Boko Haram insurgents posing as Christian preachers told villagers to gather around to hear them preach before opening fire on the listeners.

A few weeks later in the village of Kwada, just miles from the village of Chibok where about three hundred schoolgirls were abducted by Boko Haram in April 2014, gunmen stormed four different churches and shot indiscriminately at worshippers before lighting the churches on fire. At least 30 corpses were recovered from the attack. The surge of attacks by Boko Haram in 2014 has lead to over 700,000 internally displaced as reported by U.N. estimates. The National Emergency Management Agency has reportedly registered 868,253 IDPs by December 2014 who are displaced primarily from the three northern states of Adamawa, Borno, and Yobe. Other estimates of displaced persons from the northern states are much higher. The UNHCR estimates that 135,000 Nigerians have fled from Boko Haram attacks into Cameroon, Chad and Niger.

Violence against Christians is expected to escalate before and after the 2015 presidential elections, which have been rescheduled once already. After the controversial 2011 election, President Goodluck Jonathon's victory over Muhammadu Buhari sparked sectarian violence in the country's 13 northern states. Jubilee Campaign compiled a report documenting that over 700 churches and thousands of Christian businesses and homes were burned, while hundreds of Christians were systematically targeted and killed. Similar events are expected to occur this year, with possibly even more violence.

An area of particular concern for Christians in Kaduna state is the southern region of Kaduna state, and residents have asked Jubilee Campaign to bring to the attention of the international community their grave suffering at the hands of Fulani herdsmen. According to a resident of Sanga Local Government Area (LGA), "June 23, 2014, marked the beginning of the worst massacre ever recorded in the history of Sanga."

On Monday, June 23, through Saturday, June 30, insurgents raided Sanga, ruthlessly shooting and killing villagers. A Pastor recalled one of the killings of a family:

First, Mama Jude, Elisha's wife, shot at the chest and slashed twice at the back. Her corpse was seen bowed. This motherly posture was what saved her two month old child, Jacob. Jude, her son, tried to run away and was shot outside the door. He was shot at the chest. His sister, Jabbezzeth, was shot in the stomach on the bed. Then Anjah was shot at the stomach and was slashed at the head. Finally Joseph was shot at the stomach. His

corpse was seen on the bed. They searched with flash light, and once they saw, they killed. Thus in one sweep a family was laid waste.

During this massacre from June 23-30, 2014, the armed gunmen reported by locals to be Fulani herdsmen murdered over 100 civilians, mostly Christians, in more than a dozen villages in Kaduna's Sanga Local Government Area (LGA).

According to a Sanga LGA pastor, the attacks were launched when the military were beginning to relax their security patrol in the area. In addition, the youths who organized themselves into a local vigilante group for the security of the community were arrested and taken to Kaduna by the authorities five days before the attacks. The arrest of those youths paved the way for attackers to again invade several communities. Local leaders report that bloody attacks have sporadically continued during the rest of last year.

A pastor who is a Group Representative for Sanga LGA reported that recently suspected Fulani herdsmen attacked four communities in Sanga LGA, killed 50 people, and destroyed 56 houses. Most of those killed in these attacks were women, children, and the aged. A reverend in the community of Karshin Daji and his wife and children were burned to ashes along with their home. The leaders report that sophisticated weapons are being used in the attacks, and they fear ethnic cleansing of the Animist and Christian indigenous communities.

Recommendations To The Human Rights Council:

The international community must aid and encourage the Nigerian government towards taking the following actions:
Continue the military vetting process that was began and stalled last year, maintaining soldiers who are innocent of human rights abuses. Then Nigeria must work with the United States, European countries, Canada, and others to train their military forces in counterterrorism tactics and supply them with weapons.
Carry out aggressive pursuit of Boko Haram culprits in northern Nigeria, without impunity.
Boko Haram Occupied towns and villages in Nigeria must be freed.
Deploy adequate military protection for vulnerable communities like Sanga LGA to prevent more savage attacks.
Provide immediate medical attention to affected communities.
Rescue kidnapped Nigerians.
Work with neighbors to secure borders and allow the safe return of refugees and internally displaced people.
Sign and implement an IDP agreement as proposed by the UNHCR.

The international community must encourage the Nigerian government to care for the humanitarian needs of the IDPs and refugees who have fled the violence. The strain on communities within the Middle belt states and neighboring countries to assist this humanitarian crises is immense. The Nigerian government must take responsibility over meeting the humanitarian needs and provide adequate shelter, food, clothing, and education.